

#### **BOARD OF DIRECTORS MEETING**

Thursday, May 5, 2016

5:30 PM

Board of Supervisors' Chambers

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

#### **AGENDA**

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

- Persons wishing to address the Board of Directors on any item on the agenda or not on
  the agenda are requested to complete a blue card located at the public information table
  and hand it to the Board Secretary staff prior to the meeting or before the item is heard.
- Speakers will be called to address the Board when their agenda item(s) arise during the meeting and are asked to limit their comments to 2 minutes. The amount of time allocated to speakers may vary at the Chairperson's discretion depending on the number of speakers and length of the agenda. If presenting handout materials, please provide 25 copies to the Board Secretary for distribution to the Board of Directors.
- The <u>Consent Agenda</u> items may be voted on in one motion at the beginning of the meeting. The Board may also move regular agenda items on the consent agenda during Orders of the Day. If you wish to discuss any of these items, please request the item be removed from the <u>Consent Agenda</u> by notifying the Board Secretary staff or completing a blue card at the public information table prior to the meeting or prior to the Consent Agenda being heard.

 <u>Disclosure of Campaign Contributions to Board Members</u> (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, <a href="www.vta.org">www.vta.org</a>, and also at the meeting. Any document distributed less than 72-hours prior to the meeting will also be made available to the public at the time of distribution. Copies of items provided by members of the public at the meeting will be made available following the meeting upon request.

In accordance with the Americans with Disabilities Act (ADA) and Title VI of the Civil Rights Act of 1964, VTA will make reasonable arrangements to ensure meaningful access to its meetings for persons who have disabilities and for persons with limited English proficiency who need translation and interpretation services. Individuals requiring ADA accommodations should notify the Board Secretary's Office at least 48-hours prior to the meeting. Individuals requiring language assistance should notify the Board Secretary's Office at least 72-hours prior to the meeting. The Board Secretary may be contacted at ((408) 321-5680 or \*e-mail: board.secretary@vta.org or ( (408) 321-2330 (TTY only). VTA's home page is on the web at: www.vta.org or visit us on Facebook at: www.facebook.com/scvta. ((408) 321-2300: 中文/Español/日本語/ 한국어/tiếng Việt/Tagalog.

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

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

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

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

- 1.1. ROLL CALL
- 1.2. Orders of the Day

#### 2. AWARDS AND COMMENDATION

- 2.1. INFORMATION ITEM Adopt a Retirement Commendation recognizing Ronald Wallace, Coach Operator, for 35 years of service; Garry Stanislaw, Transportation Superintendent, for 34 years of service; Andrew Franco, Service Worker, for 33 years of service; Mary Jaime, Facilities Worker, for 33 years of service; Sara Keating, Service Worker, for 33 years of service; Cathleen Broers, Transit Mechanic, for 30 years of service; Lupe Garcia, Light Rail Operator, for 29 years of service; Maria Spirock, Coach Operator, for 29 years of service; David Adamson, Coach Operator, for 27 years of service; Theodor Broers, Transit Mechanic, for 26 years of service; Thomas Fisher, Light Rail Paint and Body Worker, for 25 years of service.
- **2.2.** ACTION ITEM Adopt a Resolution of Appreciation for outgoing 2016 Board Member David Whittum.

#### 3. PUBLIC COMMENT

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

#### 4. PUBLIC HEARINGS

There are no public hearings.

#### 5. COMMITTEE REPORTS

- **5.1.** Citizens Advisory Committee (CAC) Chairperson's Report. (Verbal Report) (Wadler)
- **5.2.** Policy Advisory Committee (PAC) Chairperson's Report. (Verbal Report) (Carr)
- **5.3.** Standing Committee Chairpersons' Report. (Verbal Report)
- **5.4.** Policy Advisory Board Chairpersons' Report. (Verbal Report)

#### 6. CONSENT AGENDA

- **6.1.** ACTION ITEM Approve the Board of Directors Regular Meeting Minutes of April 7, 2016.
- **6.2.** ACTION ITEM Ratify the appointments to the El Camino Real Rapid Transit Policy Advisory Board.
- **6.3.** ACTION ITEM Authorize the General Manager to negotiate and execute an amendment ("Amendment") to add the Los Gatos Creek Bridge Replacement Project ("Project") to the Cooperative Agreement ("Agreement") with the Peninsula Corridor Joint Powers Board (Caltrain) regarding right of way acquisition services in Santa Clara County. The Amendment would authorize the General Manager to approve and execute an Amendment to the Agreement and any documents necessary to implement the amended Agreement, and permit staff to agendize hearings for the Board to consider the adoption of Resolutions of Necessity if negotiated acquisition activities were unsuccessful.
- **6.4.** ACTION ITEM Adopt a resolution authorizing the filing of an annual claim to the Metropolitan Transportation Commission (MTC) for allocation of FY 2016-2017 Transportation Development Act (TDA) and State Transit Assistance (STA) funds.
- **6.5.** ACTION ITEM Approve the Santa Clara County One Bay Area Grant (OBAG) Cycle 2 Guarantee Program Distribution Formula and Countywide Competitive Complete Streets Project Selection Criteria.
- **6.6.** ACTION ITEM Approve proposed changes to the Altamont Commuter Express (ACE) fares to implement a 5.25% fare increase effective October 3, 2016 subject to San Joaquin Regional Rail Commission Board review and approval.
- **6.7.** ACTION ITEM Authorize the General Manager to procure up to 70 Non-Revenue Vehicles (NRVs) in the amount up to \$2,124,800 using the State of California purchasing contract or local authorized dealers for this procurement.
- **6.8.** ACTION ITEM Adopt a Resolution upon a two-thirds vote of the Board of Directors finding that a competitive sealed bid process does not constitute a method of procurement adequate for VTA's bus procurement needs and directing the use of competitive negotiation for the purchase of up to five low-floor battery electric buses up to 43 foot in length along with associated in yard charging systems, and with an option for additional battery electric buses for VTA's service. This would be done in accordance with Public Contract Code Sections 20216 and 20217. Authorize the necessary funding to procure the electric buses and charging facilities.

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

- **6.9.** ACTION ITEM Authorize the General Manager to execute a sole source contract for a not-to-exceed amount of \$1,256,500 with IBI Group for Eco Pass program services including program administration over a period of up to five years, development of program management tools, and preparation of analysis and recommendations for effective program management and program restructuring.
- **6.10.** ACTION ITEM Approve the terms and conditions for the forthcoming Cerone Request for Qualifications (RFQ), pursuant to VTA's Joint Development Policy, in order to authorize staff to issue the RFQ document.
- **6.11.** INFORMATION ITEM Receive the Monthly Investment Report for February 2016.
- **6.12.** INFORMATION ITEM Review Legislative Update Matrix.
- **6.13.** INFORMATION ITEM Receive an informational report on the I-680 Corridor Study.
- **6.14.** INFORMATION ITEM Receive an update on Caltrans-VTA FY 2016-18 Three-Year Project Initiation Document Workplan.
- **6.15.** INFORMATION ITEM Receive update on Bay Area Express Lanes Operations Policy Updates.
- **6.16.** INFORMATION ITEM Receive a progress report on Crossroads Traffic Collision Database Pilot Program.
- **6.17.** INFORMATION ITEM Receive information on Draft Outline and Work Plan for Comprehensive Study.

#### 7. **REGULAR AGENDA**

#### Administration and Finance Committee

- **7.1.** ACTION ITEM Authorize the General Manager to execute a contract with Ghilotti Construction Company, the lowest responsive and responsible bidder, in the amount of \$16,135,021 for the construction of the Alum Rock Avenue Roadway, Busway and Station Improvements (C836) Project.
- **7.2.** INFORMATION ITEM Receive a status update on Disadvantaged Business Enterprise (DBE) Program.
- **7.3.** INFORMATION ITEM Receive status update on the Minority and Women-Owned Business Enterprise (MWBE) Program.

**7.4.** ACTION ITEM - Amend the Minority and Women-Owned Business Enterprise Program (MWBE) to include Disabled Veteran, and Lesbian, Gay, Bisexual, and Transgender (LGBT) Business Enterprises, and rename the program to Business Diversity Program.

#### Transit Planning and Operations Committee

**7.5.** INFORMATION ITEM - Receive an update on the Next Network Light Rail Service Plan.

#### 8. OTHER ITEMS

- **8.1.** General Manager Report. (Verbal Report)
  - **8.1.A.** Receive Government Affairs Update.
  - **8.1.B.** INFORMATION ITEM Receive Silicon Valley Rapid Transit (SVRT) Program Update.
- **8.2.** Chairperson's Report. (Verbal Report)
- 8.3. ITEMS OF CONCERN AND REFERRAL TO ADMINISTRATION
- **8.4.** Unapproved Minutes/Summary Reports from VTA Committees, Joint Powers Boards (JPB), and Regional Commissions
  - **8.4.A.** VTA Standing Committees
  - **8.4.B.** VTA Advisory Committees
  - **8.4.C.** VTA Policy Advisory Boards (PAB)
  - **8.4.D.** Joint Powers Boards and Regional Commissions
- **8.5.** Announcements

#### 9. CLOSED SESSION

#### 9.1. Recess to Closed Session

**A.** Conference with Labor Negotiators (Government Code Section 54957.6)

#### VTA Designated Representatives

Alberto Lara, Director of Business Services Ali Hudda, Deputy Director, Accounting

#### **Employee Organization**

American Federation of State, County and Municipal Employees, Local 101

**B.** Conference with Labor Negotiators (Government Code Section 54957.6)

#### VTA Designated Representatives

Alberto Lara, Director of Business Services Ali Hudda, Deputy Director, Accounting

#### **Employee Organization**

Transportation Authority Engineers and Architects Association (TAEA), IFPTE, Local 21

- **9.2.** Reconvene to Open Session
- **9.3.** Closed Session Report

#### 10. ADJOURN



Date: April 28, 2016
Current Meeting: May 5, 2016
Board Meeting: May 5, 2016

#### **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:**

Ronald Wallace, Coach Operator, Badge #2515, has provided 35 years of distinguished public service with VTA.

Garry Stanislaw, Transportation Superintendent, Light Rail, Badge #2661, has provided 34 years of distinguished public service with VTA.

Andrew Franco, Service Worker, Badge #1539, has provided 33 years of distinguished public service with VTA.

Mary Jaime, Facilities Worker, Badge #8017, has provided 33 years of distinguished public service with VTA.

Sara Keating, Service Worker, Badge #1561, has provided 33 years of distinguished public service with VTA.

Cathleen Broers, Transit Mechanic, Badge #2883, has provided 30 years of distinguished public service with VTA.

Lupe Garcia, Light Rail Operator, Badge #3010, has provided 29 years of distinguished public service with VTA.

Maria Spirock, Coach Operator, Badge #2931, has provided 29 years of distinguished public service with VTA.

David Adamson, Coach Operator, Badge #3201, has provided 27 years of distinguished public service with VTA.

Theodor Borers, Transit Mechanic, Badge #1620, has provided 26 years of distinguished public service with VTA.

Thomas Fisher, Paint and Body Worker, Light Rail, Badge #1630, has provided 25 years of distinguished public service with VTA.

#### **DISCUSSION:**

#### Ronald Wallace, Coach Operator, Badge #2515

Ronald Wallace began his career with the Santa Clara County Transit District in March of 1981 as a Coach Operator. Ronald attained 28 years of safe driving throughout his career, thereby earning the prestigious Two Million Miles award and the VTA gold ring with eight diamonds. Ronald maintained an excellent attendance record, served as a role model to his fellow coworkers, and was recognized for his courteous and respectful demeanor towards the public and his co-workers. Ronald provided 35 years of distinguished public service and was a valuable asset to the Operations Division and to VTA.

Congratulations to Ronald Wallace!

#### Garry Stanislaw, Transportation Superintendent, Light Rail, Badge #2661

Garry Stanislaw began his career with the Santa Clara County Transit District as a Coach Operator in December of 1981. Garry changed his classification to a Light Rail Operator in March of 1994, Transportation Supervisor, Rail Control in January of 1996, Technical Training Supervisor, Light Rail in February of 1999, and Transportation Superintendent, Light Rail in January of 2004. Garry displayed a thorough understanding of the light rail operations and various safety related regulatory mandates and was recognized for his training and leadership, thereby earning the prestigious Employee of the Month award in March of 2000. Garry served as the chairperson of the Rail Procedure Development Committee, overseeing the establishment of the Light Rail Operator's Rule Book and many Light Rail standard operating procedures. Garry provided 34 years of distinguished public service and was an asset to the Operations Division and to VTA.

Congratulations to Garry Stanislaw!

#### Andrew Franco, Service Worker, Badge #1539

Andrew Franco began his career with the Santa Clara County Transit District in March of 1982 as a Service Worker. Andrew demonstrated positive, courteous demeanor towards the public and his fellow co-workers. Andrew performed his duties with great diligence and was highly respected by all who knew and worked with him. Andrew provided 33 years of distinguished public service and was a valuable asset to the Operations Division and to VTA.

Congratulations to Andrew Franco!

Mary Jaime, Facilities Worker, Badge #8017

Mary Jaime began her career with the Santa Clara County Transit District in September of 1982 as a Facilities Worker. Mary performed her duties in an outstanding manner and set the standard for cleanliness throughout the Operations Division facilities and was recognized for her hard work, friendliness, and good hearted nature. Mary provided 33 years of distinguished public service and was a valuable asset to the Operations Division and to VTA.

Congratulations to Mary Jaime!

#### Sara Keating, Service Worker, Badge 1561

Sara Keating began her career with the Santa Clara County Transit District in January of 1983 as a Service Worker. Sara demonstrated passion and dedication for her work, displayed commitment to safety, and maintained an excellent attendance record, thereby earning the prestigious Employee of the Month award in January of 2004 and October of 2007. Sara provided 33 years of distinguished public service and was a valuable asset to the Operations Division and to VTA.

Congratulations to Sara Keating!

#### Cathleen Broers, Transit Mechanic, Badge #2883

Cathleen Broers began her career with the Santa Clara County Transit District in November of 1985 as a Coach Operator. Cathleen changed her classification to Service Mechanic in January of 1994 and Transit Mechanic in November of 1996. Cathleen demonstrated passion for her work and commitment to safety, ensuring coaches were safe and reliable and delivered courteous and respectful customer service to the public and her co-workers. Cathleen was recognized for her positive attitude and was highly respected by all who knew and worked with her. Cathleen provided 30 years of distinguished public service and was a valuable asset to the Operations Division and to VTA.

Congratulations to Cathleen Broers!

#### Lupe Garcia, Light Rail Operator, Badge #3010

Lupe Garcia began his career with the Santa Clara County Transit District in March of 1987 as a Coach Operator and changed his classification to Light Rail Operator in March of 1991. Lupe attained 27 years of safe driving throughout his career, thereby earning the prestigious Two Million Miles award and the VTA gold ring with seven diamonds. Lupe maintained an excellent attendance record, performed his duties in an outstanding manner, and delivered excellent customer service to all VTA riders; thereby earning the Employee of the Month award in February of 1998. Lupe provided 29 years of distinguished public service and was a valuable asset to the Operations Division and to VTA.

Congratulations to Lupe Garcia!

#### Maria Spirock, Coach Operator, Badge #2931

Maria Spirock began her career with the Santa Clara County Transit District in June of 1986 as a

Coach Operator. Maria attained 25 years of safe driving throughout her career, thereby earning the prestigious Two Million Miles award and the VTA gold ring with five diamonds. Maria displayed a high level of professionalism and delivered respectful and courteous customer service to all VTA riders. Maria provided 29 years of distinguished public service and was an asset to the Operations Division and to VTA.

Congratulations to Maria Spirock!

#### David Adamson, Coach Operator, Badge #3201

David Adamson began his career with the Santa Clara County Transit District in December of 1988 as a Coach Operator. David attained 22 years of safe driving throughout his career, thereby earning the prestigious One Million Miles award and the VTA gold ring with two diamonds. David performed his duties in an outstanding manner, received numerous compliments from the public for his courteous, tactful demeanor, and provided excellent customer service to all VTA riders; thereby earning the Employee of the Month award in February of 2013. David provided 27 years of distinguished public service and was an asset to the Operations Division and VTA.

Congratulations to David Adamson!

#### Theodor Broers, Transit Mechanic, Badge #1620

Theodor "Dan" Broers began his career with the Santa Clara County Transit District in January of 1990 as a Service Mechanic and was promoted to Transit Mechanic in January of 1991. Dan demonstrated passion for his work and commitment to safety, ensuring coaches were safe and reliable and provided courteous and respectful customer service to the public and his fellow coworkers; thereby earning the prestigious Employee of the Month award in February of 1997. Dan was recognized for his positive attitude and was highly respected by all who knew and worked with him. Dan provided 26 years of distinguished public service and was a valuable asset to the Operations Division and to VTA.

Congratulations to Dan Broers!

#### Thomas Fisher, Paint and Body Worker, Light Rail, Badge #1630

Thomas Fisher began his career with the Santa Clara County Transit District in January of 1991 as a Paint and Body Worker, Overhaul and Repair. Thomas was instrumental in the restoration of several historic trolleys that VTA continues to maintain and operate for the California Trolley and Railroad Corporation. Thomas performed his duties in an outstanding, professional manner and was recognized for his positive outlook and passion for his work. Thomas provided 25 years of distinguished public service and was a valuable asset to the Operations Division and to VTA.

Congratulations to Thomas Fisher!

Prepared By: Business Services Memo No. 5493

#### 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 David Whittum

Whereas, David Whittum is retiring after eight years of dedicated public service as a member of the Sunnyvale City Council; and

Whereas, he demonstrated his commitment to transportation in Santa Clara County through his service as the vice chair of the VTA Policy Advisory Committee in 2013, and as a member of the VTA Board of Directors, first as alternate from 2012 to 2013, then as a member from 2014 to 2015, and again as an alternate until his retirement in April 2016; and

Whereas, he brought a thoughtful approach to deliberations on the integration of land-use and transportation planning, VTA's Congestion Management Program, and the development of Valley Transportation Plan 2040 in his capacity as an alternate and member of the Congestion Management Program & Planning Committee from 2012 to 2016, and as the vice chair of this committee in 2015; and

Whereas, he demonstrated leadership in the development of public transit service that meets the needs of residents, businesses and other community stakeholders in the City of Sunnyvale, and throughout the northeast cities as a member of the El Camino Real Rapid Transit Policy Advisory Board from 2012 to 2016; and

Now therefore be it resolved, that the VTA Board of Directors hereby commends and expresses its sincere appreciation to David Whittum for his exemplary public service; and

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

Adopted by the VTA Board of Directors this fifth day of May, 2016.

Cindy Chavez, Chairperson Santa Clara Valley Transportation Authority



#### **BOARD OF DIRECTORS MEETING**

Thursday, April 7, 2016

#### **MINUTES**

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

The Regular Meeting of the Santa Clara Valley Transportation Authority's (VTA) Board of Directors (Board) was called to order by Chairperson Chavez at 5:30 p.m. in the Board of Supervisors' Chambers, County Government Center, 70 West Hedding Street, San José, California.

Chairperson Chavez welcomed new Board Member Glenn Hendricks from the City of Sunnyvale, representing Group 5 – Northeast Cities. Mr. Hendricks will replace David Whittum who resigned from the City of Sunnyvale.

Chairperson Chavez noted that the Northeast City Group representatives are as follows: Mayor Hendricks and Vice Mayor O'Neill are serving as the Regular Board Members and Mayor Esteves is serving as the Alternate Board Member.

#### 1.1. ROLL CALL

Attendee Name	Title	Status
Jason Baker	Board Member	Present
Jeannie Bruins	Vice Chairperson	Present
Larry Carr	Alternate Board Member	Present
Magdalena Carrasco	Board Member Present	
Cindy Chavez	Chairperson	Present
David Cortese	Alternate Board Member	Absent
Jose E Esteves	Alternate Board Member	Present
Glenn Hendricks	Board Member	Present
Rose Herrera	Board Member Absent	
Johnny Khamis	Board Member Present	
Sam Liccardo	Board Member Present	
John McAlister	Alternate Board Member Present	
Howard Miller	Alternate Board Member	Present
Manh Nguyen	Board Member	Present
Teresa O'Neill	Board Member	Present
Raul Peralez	Alternate Board Member	Absent
Perry Woodward	Board Member	Absent
Ken Yeager	Board Member	Present

<sup>\*</sup> Alternates do not serve unless participating as a Member.

#### A quorum was present.

#### 1.2. Orders of the Day

Chairperson Chavez noted the following changes at Staff's request: 1) move **Agenda Item #9**: Closed Session immediately after **Agenda Item #3**: Public Presentations; 2) move **Agenda Item #7.2**: Budget Augmentation for the Alum Rock/Santa Clara BRT Small Business Sustainability Program after **Agenda Item #9**: Closed Session; 3) move **Agenda Item #7.4**: Agreement between VTA and BART for the BART Operations Control Center Project to the Consent Agenda; and 4) place **Agenda Item #7.3**: Affordable Housing Policy as the first item on the Regular Agenda.

Chairperson Chavez referenced **Agenda Item #5**: Committee Reports, and noted that the reports were in the Board Members' reading folders and on the public table.

Board Members Carrasco and Yeager took their seats at 5:34 p.m.

Board Member Liccardo recused himself from **Agenda Item #6.2**: Alum Rock/Santa Clara Bus Rapid Transit Project - Amendment Between the City of San Jose and the Santa Clara Valley Transportation Authority for Engineering Support of Traffic Signals and Street Lights.

M/S/C (Bruins/Baker) to approve the Orders of the Day.

RESULT: APPROVED [UNANIMOUS]
MOVER: Jeannie Bruins, Vice Chairperson
SECONDER: Jason Baker, Board Member

**AYES:** Baker, Bruins, Carr, Carrasco, Chavez, Hendricks, Khamis,

Liccardo, Nguyen, O'Neill, Yeager

**ABSENT:** Herrera

#### 2. AWARDS AND COMMENDATION

#### 2.1. Employees and Supervisor of the Quarter for the Second (2<sup>nd</sup>) Quarter of 2016

Chairperson Chavez recognized the following Employees for the Second (2<sup>nd</sup>) Quarter of 2016: Robert Joyce, Dispatcher, Chaboya Operations; and Susan Nava, Accounts Payable Support Supervisor.

Wendy Aven, Office & Timekeeping Technician, North Operations; and Brian Simpson, Facilities Worker, North Maintenance, were unable to attend the meeting and were acknowledged as Employees of the Quarter for the 2<sup>nd</sup> Quarter of 2016.

#### 3. PUBLIC COMMENT

Roger, Director of the Santa Clara County Law Library, made the following comments: 1) VTA employees park in the law library lot and library patrons are

unable to park there; and 2) VTA drivers stop in front of the law library where there is not a stop.

Roland Lebrun, Interested Citizen, commented on transparency.

James Wightman, Interested Citizen, commented on the following: 1) April and July 2016 service changes; 2) a recent altercation between passengers and security aboard a bus; and 3) Bus Rapid Transit (BRT) through downtown.

Ryan Condensa, Interested Citizen, made the following comments: 1) the April 22, 2016, Board Workshop is scheduled during school hours when students cannot attend; 2) the current transportation system in the Bay Area lacks availability for everyone, especially students; and 3) expressed support for the requests made by the Transit Justice Alliance (TJA).

#### The Agenda was taken out of order.

#### 7. REGULAR AGENDA

#### **Board of Directors**

#### 7.2 <u>Budget Augmentation for Alum Rock Bus Rapid Transit Small Business</u> Sustainability Program

#### **Public Comment**

Romesh Vidanage, Interested Citizen, commented on the condition of Alum Rock Avenue.

Luis Lourenco, Interested Citizen, made the following comments: 1) expressed the hard times for all businesses along Alum Rock Avenue; 2) changes implemented in October 2015, have been noticed; and 3) encouraged Board Members to continue the Small Business Sustainability Program (SBSP).

Milind Parab, Interested Citizen, commented on the following: 1) expressed gratitude for the financial assistance received; and 2) requested that the SBSP continue for other businesses

Connie Alvarez, Interested Citizen, commented on the following: 1) financial assistance will help small businesses stay in business; and 2) encouraged Board Members to continue the SBSP.

Carlos Diaz, Vice President of the Alum Rock Business Association, made the following comments: 1) better partnership between the businesses and VTA is needed; 2) establish a 24-hour hotline to address issues after hours; and 3) expressed hope that the SBSP continues.

#### 9. CLOSED SESSION

#### 9.1. Recessed to Closed Session at 5:57 p.m.

**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

#### 9.2. Reconvened to Open Session at 6:20 p.m.

#### 9.3. Closed Session Report

**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

Robert Fabela, General Counsel, indicated action was taken during Closed Session, noting the Board of Directors authorized Chairperson Chavez to make the announcement.

## 7.2 <u>Budget Augmentation for Alum Rock Bus Rapid Transit Small Business</u> <u>Sustainability Program Continued</u>

Jim Lawson, Director of Public Affairs and Executive Policy Advisor, provided a brief overview of the SBSP, noting payment status as of April 5, 2016.

M/S/C (Liccardo/Carrasco) to augment the FY 2016 VTA Transit Fund Capital Budget by up to \$1.5 million to provide additional funding for the Small Business Sustainability Program (SBSP) with the following amendments:

- Direct the General Manager or his/her designee to establish a process for secondary review of SBSP financial assistance awards limited to those businesses that have received less than the full amount requested and who have signed a waiver and release against VTA;
- Staff will publicize a list of sample factors supporting financial assistance awards and of factors not supporting financial assistance awards;
- Upon the acceptance or rejection of the final award issued by the Small Business Sustainability Program Tier II Independent Administrator, staff will send a notification to the businesses that have accepted an award for less than the full amount requested to advise them that they have 30 days to submit a request for reconsideration based solely on evidence not previously presented to the independent administrator;

- The independent administrator will consider the new evidence and issue a written statement determining whether the evidence supports one of the factors for which financial assistance has been awarded;
- No amount awarded can exceed the amount originally requested by the business; and

• Add a 24-hour hotline for construction activities.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Sam Liccardo, Board Member

**SECONDER:** Magdalena Carrasco, Board Member

**AYES:** Baker, Bruins, Carr, Carrasco, Chavez, Hendricks, Khamis,

Liccardo, Nguyen, O'Neill, Yeager

**ABSENT:** Herrera

#### 4. PUBLIC HEARINGS

There were no public hearings.

#### 5. COMMITTEE REPORTS

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

The Citizens Advisory Committee (CAC) Chairperson's report was contained in the Board Members' reading folders and placed on the public table.

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

The Policy Advisory Committee (PAC) Chairperson's report was contained in the Board Members' reading folders and placed on the public table.

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

The Standing Committee Chairpersons' reports were contained in the Board Members' reading folders and placed on the public table.

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

The Policy Advisory Board Chairpersons' reports were contained in the Board Members' reading folders and placed on the public table.

#### 6. CONSENT AGENDA

#### **Public Comment**

Mr. Lebrun referenced **Agenda Item #6.3.** – General Manager Authorization for Peninsula Corridor Electrification Project, and commented that VTA should be more involved with Caltrain.

Mr. Lebrun referenced **Agenda Item #7.4**: Agreement between VTA and BART for the BART Operations Control Center Project, and commented on the extensive discussion held at the Administration and Finance (A&F) Committee on this item. He urged Board Members to vote on the BART Operations Control Center (OCC) as it has gone through the Standing Committees for several months.

Doug Muirhead, Interested Citizen, referenced **Agenda Item #6.4**: Closed-Circuit Television (CCTV) Policy and requested the item go back to the Administration and Finance Committee for further review.

Vice Chairperson Bruins expressed concern regarding the VTA/BART OCC terms of agreement. Carolyn Gonot, Director of Engineering and Transportation Infrastructure Development, clarified that the OCC agreement is a stand-alone agreement with no connection to the BART agreement signed in 2001.

Chairperson Chavez noted she will be voting against Agenda Item #7.4

Chairperson Chavez would like to see the CCTV Policy move forward.

#### 6.1. Regular Meeting Minutes of March 3, 2016

M/S/C (Bruins/Baker) to approve the Regular Meeting Minutes of March 3, 2016.

## 6.2. Alum Rock/Santa Clara Bus Rapid Transit Project - Amendment Between the City of San Jose and the Santa Clara Valley Transportation Authority for Engineering Support for Traffic Signals and Street Lights

M/S/C (Bruins/Baker) on a vote of 10 ayes to 0 noes 0 abstentions and 1 recusal to authorize the General Manager to execute Amendment(s) to perform additional Engineering Support for traffic signal and street light design for up to \$475,000 with the City of San Jose for the Alum Rock/Santa Clara Bus Rapid Transit Project for a new agreement amount not to exceed \$2,055,000. Board Member Liccardo recused.

## 6.3. General Manager Authorization for Peninsula Corridor Electrification Project

M/S/C (Bruins/Baker) to authorize the General Manager to approve and execute all documents, including purchase and sale agreements, necessary to implement the Cooperative Agreement between the Peninsula Corridor Joint Powers Board and VTA for Right of Way Acquisition Services for the Peninsula Corridor Electrification Project.

#### **6.4.** Closed-Circuit Television (CCTV) Policy

**M/S/C** (**Bruins/Baker**) to review and adopt the CCTV Monitoring & Preserved Footage Policy.

## 6.5. <u>FY 15-16 California Transit Security Grant Program-California Transit Assistance Fund (CTSGP-CTAF)</u>

M/S/C (Bruins/Baker) to adopt Resolution No. 2016.04.08 authorizing the General Manager or the Chief Operating Officer or the Director of Planning and Program Development or the General Counsel to file and execute grant applications and agreements with the State of California for California Transit Security Grant Program - California Transit Assistance Fund (CTSGP-CTAF) funds.

#### 6.6. Financial Audit Services for Fiscal Years (FY) 2016 to 2020

M/S/C (Bruins/Baker) to authorize the General Manager to execute a contract with Vavrinek, Trine, Day and Co. (VTD) to provide financial and compliance audit services to Santa Clara Valley Transportation Authority (VTA) for three years starting March 2016 (in preparation for FY 2016 financial statement audit) at a cost of \$406,762 and two additional one-year extensions at a cost of \$291,920. The total value of the contract for the five year period ending March 2021 (anticipated conclusion date for audit of FY 2020 financial statements) is \$698,682.

#### 6.7. Monthly Investment Report - January 2016

M/S/C (Bruins/Baker) to receive the Monthly Investment Report for January 2016.

#### **6.8.** Legislative Update Matrix

M/S/C (Bruins/Baker) to review the Legislative Update Matrix.

#### **6.9.** Underground Utility Coordination

M/S/C (Bruins/Baker) to review and receive a report on underground utility coordination in Santa Clara County.

#### 6.10. 2000 Measure A Semi-Annual Report Ending December 31, 2015

M/S/C (Bruins/Baker) to receive the 2000 Measure A Transit Improvement Program Semi-Annual Report Ending December 31, 2015.

#### 6.11. Programmed Project Monitoring - Quarterly Report

**M/S/C** (**Bruins/Baker**) to receive the Programmed Projects Quarterly Monitoring Report for October-December 2015.

#### 6.12. VTP Highway Program Semi-Annual Report Ending October 31, 2015

M/S/C (Bruins/Baker) to receive the VTP Highway Program Semi-Annual Report Ending October 31, 2015.

#### 6.13. Development Review Annual Report for 2015

M/S/C (Bruins/Baker) to receive the Development Review Annual Report for 2015.

#### 6.14. Transit Service Changes - April 11, 2016

M/S/C (Bruins/Baker) to receive a report on the April 11, 2016 Transit Service Changes.

#### 6.15. Transit Capital Projects Semi-Annual Report Ending September 30, 2015

M/S/C (Bruins/Baker) to receive the Transit Capital Projects Semi-Annual Report Ending September 30, 2015.

#### 6.16. Light Rail Enhancement Update

M/S/C (Bruins/Baker) to receive an update on Light Rail Enhancement Program.

#### 6.17. Rapid 523 Berryessa BART to DeAnza College - Progress Report

M/S/C (Bruins/Baker) to receive a report on Rapid 523 Berryessa BART to DeAnza College.

## 7.4. <u>Agreement between VTA and BART for the BART Operations Control Center Project</u>

M/S/C (Bruins/Baker) on a vote of 10 ayes to 1 no to authorize the General Manager to execute an agreement between VTA and the Bay Area Rapid Transit (BART) District for the environmental review, design, construction, activation and integration of the BART Operations Control Center Project (OCC Project), with VTA committing \$26.4 million plus 11.8% of actual costs that exceed the estimated total cost of \$62.7 million. Chairperson Chavez opposed.

**RESULT:** APPROVED [UNANIMOUS] – Consent Agenda Items # 6.1, 6.3-

6.17

MOVER: Jeannie Bruins, Vice Chairperson SECONDER: Jason Baker, Board Member

**AYES:** Baker, Bruins, Carr, Carrasco, Chavez, Hendricks, Khamis,

Liccardo, Nguyen, O'Neill, Yeager

**ABSENT:** Herrera

**RESULT:** APPROVED – Consent Agenda Item #6.2

MOVER: Jeannie Bruins, Vice Chairperson SECONDER: Jason Baker, Board Member

**AYES:** Baker, Bruins, Carr, Carrasco, Chavez, Hendricks, Khamis, Nguyen,

O'Neill, Yeager

**ABSENT:** Herrera **RECUSED:** Liccardo

**RESULT:** APPROVED – Consent Agenda Item #7.4

MOVER: Jeannie Bruins, Vice Chairperson SECONDER: Jason Baker, Board Member

**AYES:** Baker, Bruins, Carr, Carrasco, Hendricks, Khamis, Liccardo,

Nguyen, O'Neill, Yeager

NAYS: Chavez ABSENT: Herrera

#### 7. **REGULAR AGENDA (CONTINUED)**

#### **Board of Directors**

## 7.3 <u>Amendment to the Joint Development Policy to Include VTA Affordable Housing Policy</u>

Ron Golem, Deputy Director of Real Estate, gave a presentation titled "VTA's Affordable Housing Policy," highlighting: 1) Why an Affordable Housing Policy?; 2) Key Considerations; 3) Relation to VTA Joint Development; 4) Recommended Policy; 5) Strategies & Implementation; and 6) Additional Committee Recommendations.

Board Member Khamis left the meeting at 6:36 p.m.

#### **Public Comment**

Omar Chatty, Interested Citizen, encouraged VTA to be creative and allow for road usage now and in the future.

Jim Mather, Chief Lending Officer with Housing Trust Silicon Valley, made the following comments: 1) 100% affordable housing in California is important from a finance view since most private investing and public subsidies go towards affordable housing; and 2) 20% affordable housing is the minimum to be eligible for tax exempt financing and low income housing tax credits.

Chris O'Connor, Silicon Valley Leadership Group (SVLG), commented on the following: 1) expressed gratitude to staff for engaging the community while creating the policy; 2) the SVLG has advocated for the policy over the past two years; 3) a systemwide goal of 30% is ambitious; 4) lower income households are more likely to use transit; 5) supported VTA's Administration and Finance

Committee's recommendation that ridership is tracked and that the General Manager reports back when discretionary authority is utilized; and 6) encouraged the Board adopt this policy.

Dixie Baus, EAH Housing, encouraged VTA to provide advance notice of Request for Proposals (RFPs) to affordable housing developers.

Jessica de Wit, Palo Alto Housing, made the following comments: 1) referenced a new affordable housing development in Mountain View located near several VTA bus stops; 2) expressed gratitude for VTA setting such strong goals for low income housing; and 3) identifying sites for affordable housing.

Pilar Lorenzana-Campo, Policy Director at Silicon Valley at Home, commented on the following: 1) thanked the Board and staff for soliciting input and listening to concerns; 2) expressed support for the 30% systemwide goal and 15% per location minimum for affordable housing; 3) made three recommendations which will strengthen the policy: a) require 15% affordable housing per project; b) provide advance notification or extended response time for RFPs; and c) identify key sites for affordable housing developments; and 4) the recommendations came from non-profit and market ready communities.

Thomas Iamesi, First Community Housing, made the following comments:

- 1) expressed support for the Silicon Valley at Home recommendations;
- 2) collaboration of affordable housing developers and VTA on these policies; and
- 3) other funding available for affordable housing as well as supplemental funds.

Mr. Lebrun made the following comments: 1) prefers an "in kind" over an "in lieu" opt out; and 2) VTA's primary function is to provide transit and accessibility to transit.

Cherisse Ma Lebrun, Working Partnerships, made the following comments: 1) commended staff for the development of a policy; and 2) expressed support for the policy with additions suggested at Committee meetings which will make it the most robust model in the country.

Members of the Board and staff discussed the following: 1) affordable housing developers competing with other developers; 2) upzoning; 3) point system to rate developers; 4) affordable housing percent being based on units not square footage; and 5) potential challenges of building affordable units under this policy.

M/S/C (Liccardo/Chavez) to approve the addition of a new Section VI of the VTA Affordable Housing Policy to the Joint Development Policy Guidance Documents, Part II: Implementation Plan, and renumber existing Sections VI, VII, and VIII to Sections VII, VIII, and IX, respectively. The VTA Affordable Housing Policy would set forth one or more VTA strategies, to promote affordable housing development at VTA Joint Development sites and on other real estate owned by VTA, with the following amendments:

- General Manager notifies Administration and Finance Committee whenever discretionary authority is exercised;
- Work to identify grants and other financial assistance for joint development projects with affordable housing;
- Track ridership impacts of affordable housing and joint development;
- Adopt a 35% overall target for affordable housing for the entire Joint Development;
- Have a minimum goal of 20% affordable housing per site (station area or parcel);
- Establish in-lieu fees;
- Staff to evaluate and report back to the Board the implementation and usage of in-lieu fees; and
- The scoring criteria should include an incentive for proposals that provide more family sized units.

**RESULT:** APPROVED [UNANIMOUS]

MOVER: Sam Liccardo, Board Member

SECONDER: Cindy Chavez, Chairperson

**AYES:** Baker, Bruins, Carr, Carrasco, Chavez, Hendricks, Liccardo, Nguyen,

O'Neill, Yeager

**ABSENT:** Khamis, Herrera

#### Transit Planning & Operations Committee

#### 7.1. Transit Ridership Improvement Program Choices Report

Chris Augenstein, Deputy Director of Planning, introduced Adam Burger, Senior Transportation Planner; Michelle Poyourow, Senior Associate at Jarrett Walker + Associates; and Jarrett Walker, President at Jarrett Walker + Associates.

Mr. Walker provided a presentation titled "VTA Next Network: Your Transit Choices," highlighting: 1) About Jarrett Walker + Associates; 2) Outline; 3) Timeline; 4) Where We Are Now; 5) Falling Behind Population Growth;

6) Understanding Farebox Recovery; 7) Why Focus on Local Bus?; 8) If you want higher ridership, higher farebox return: The Ridership Recipe; 9) How Ridership Happens; 10) The Ridership Recipe; 11) Why Frequency Matters; 12) Top performers are frequent; 13) Current All-Day Frequency; 14) Current Ridership; 15) Why All-Day Matters; 16) Limits of VTA Peak-Only Service; 17) Land Use Drivers of Ridership; 18) Density: How many people are going to and from the area around each stop?; 19) Walkability: Can the people around the stop walk to the stop?; 20) Linearity: Can transit run in straight lines that are useful to throughriders?; 21) Proximity: Does transit have to cross long low-ridership gaps?; 22) The Ridership-Coverage Tradeoff: But is Ridership What You Want?; 23) The Ridership-Coverage Tradeoff; 24) How should a transit agency allocate its resources; 25) Ridership Goal: "Maximum Ridership"; 26) Ridership Goal: "Some service for everyone"; 27) Both goals are important, but they lead opposite directions!; 28) So it helps to choose a point on the spectrum; 29) 70% Ridership? 80%? 90%?: 3 Alternative Concepts for '17; 30) All Concepts Integrate with BART; 31) Not Shown but Still There; 32) Please Learn 4 Colors; 33) Concept 70 (70% Ridership, 30% Coverage); 34) Concept 80 (80% Ridership, 20% Coverage); 35) Concept 90 (90% Ridership, 10% Coverage); 36) Access to jobs.; 37) Access by residents; 38) Visualizing Access; 39) So How Many People Is That?; 40) Cautions; and 41) Outreach.

The Board of Directors and staff discussed the following: 1) community engagement; 2) frequent all day service serves everyone; 3) connectivity with other Bay Area transit systems; 4) other factors which can be studied; 5) peak travel; 6) importance of frequency for short distance trips; 7) balancing ridership and coverage within the current budget; and 8) bus rapid transit (BRT).

Board Member Carrasco left the meeting at 9:12 p.m.

Chairperson Chavez made the following requests/comments: 1) hold a Board workshop in August 2016; 2) VTA's approach to Title VI and the implications of it; 3) cost relative to service and what it means; 4) what the long term partnerships with BART and Caltrain look like; 5) examples of how other cities across the county have responded to this issue; 6) use farebox recovery and ridership projections as a tool to set goals; and 7) invite Mr. Walker to present at City Council meetings.

#### **Public Comment**

Laura Tolkoff, San Jose Policy Director at SPUR, made the following comments: 1) current transit does not work for most people, cannot keep up with County growth, and does not give us the most for the money; 2) invest in the transit network as a whole; 3) transit is successful when it is frequent; and 4) encouraged Board Members to make a real commitment to the transit network.

Chris Lepe, TransForm, commented on the following: 1) service should be placed where it will serve the most people; 2) connect residential areas; and 3) improved frequency will increase ridership.

Eugene Bradley, Silicon Valley Transit Union, made the following comments: 1) Mr. Walker should be making some of the decisions for VTA with regards to increasing ridership; 2) the connection between free parking and ridership; and 3) honesty about spending.

Mr. Lebrun commented on the following: 1) more people ride Google buses than light rail because they know where people live and where they want to go; and 2) Caltrain is the backbone of Silicon Valley.

Board Member Yeager left the meeting at 9:40 p.m.

Chairperson Chavez made the following comments: 1) using the Innovation Center for solutions to increasing ridership; and 2) inquired what the public would do with this issue.

On order of Chairperson Chavez and there being no objection, the Board received the Transit Ridership Improvement Program's Draft Transit Choices Report.

#### 7.4. (Removed from the Regular Agenda and placed on the Consent Agenda)

Authorize the General Manager to execute an agreement between VTA and the Bay Area Rapid Transit (BART) District for the environmental review, design, construction, activation and integration of the BART Operations Control Center Project (OCC Project), with VTA committing \$26.4 million plus 11.8% of actual costs that exceed the estimated total cost of \$62.7 million.

#### 8. OTHER ITEMS

#### 8.1. General Manager Report

Nuria I. Fernandez, General Manager, noted the General Manager Report was included in the Board Members' reading folders and placed on the public table. Ms. Fernandez noted the 40 Year Investment Anniversary which has transformed the County. A media event will be held the morning of April 22, 2016, at the VTA River Oaks campus.

## 8.1.A. Report on Successful Replacement of Critical Rail Infrastructure under Delegation of Emergency Contracting Authority

Ms. Fernandez provided a brief overview of the Replacement of Critical Rail Infrastructure.

#### **Public Comment**

Mr. Chatty commented on an article in Metro magazine about VTA.

#### 8.1.B. Government Affairs Update

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

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

Ms. Fernandez noted the Silicon Valley Rapid Transit (SVRT) Program Update was included in the Board Members' reading folders and placed on the public table.

#### 8.2. Chairperson's Report

Chairperson Chavez provided an update on Envision Silicon Valley, highlighting: 1) updated report cards for Envision Silicon Valley; 2) encouraged Members to meet with staff to review the analysis; and 3) the Board Workshop focusing on Envision Silicon Valley to be held on Friday, April 22, 2016 at the VTA River Oaks Auditorium.

#### **Public Comment**

Mr. Bradley commented on the Envision Silicon Valley budget tool.

#### 8.2.A. Envision Silicon Valley Update

#### **8.3.** Items of Concern and Referral to Administration

Chairperson Chavez asked staff to research and report back on a community workforce agreement policy to include targeted hiring for projects over \$2,000,000.

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

#### **8.4.A.** VTA Standing Committees

- Governance and Audit Committee The March 3, 2016, Minutes were accepted as contained in the Agenda Packet.
- Silicon Valley Rapid Transit Program Working Committee (SVRT PWC) The March 7, 2016, Minutes were accepted as contained on the dais.
- Congestion Management Program & Planning (CMPP) Committee The March 17, 2016, Minutes were accepted as contained in the Agenda Packet.
- Administration & Finance (A&F) Committee The March 17, 2016, Minutes were accepted as contained in the Agenda Packet.

• Transit Planning & Operations (TP&O) Committee – The March 17, 2016, Minutes were accepted as contained in the Agenda Packet.

#### **8.4.B.** VTA Advisory Committees

- Committee for Transit Accessibility (CTA) There was no report.
- Citizens Advisory Committee (CAC) and 2000 Measure A Citizens Watchdog Committee (CWC) - The March 9, 2016, Minutes were accepted as contained in the Agenda Packet.
- Bicycle & Pedestrian Advisory Committee (BPAC) The March 9, 2016, Minutes were accepted as contained in the Agenda Packet.
- Technical Advisory Committee (TAC) The March 10, 2016, Minutes were accepted as contained on the dais.
- Policy Advisory Committee (PAC) The March 10, 2016, Minutes were accepted as contained in the Agenda Packet.

#### **8.4.C.** VTA Policy Advisory Boards (PAB)

- Downtown East Valley PAB There was no report.
- Diridon Station Joint Policy Advisory Board The March 18, 2016, Notice of Cancellation was accepted as contained in the Agenda Packet.
- El Camino Real Rapid Transit PAB The March 30, 2016, Notice of Cancellation was accepted as contained in the Agenda Packet.
- State Route 85 Corridor PAB The March 21, 2016, Minutes were accepted as contained in the Agenda Packet.

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

- Caltrain Peninsula Corridor Joint Powers Board The April 7, 2016, Summary Notes were accepted as contained on the dais.
- Capitol Corridor Joint Powers Authority There was no report
- Dumbarton Rail Corridor Policy Committee There was no report.
- Metropolitan Transportation Commission (MTC) There was no report.

- Sunol Smart Carpool Lane Joint Powers Authority There was no report.
- SR 152 Mobility Partnership There was no report.

#### **Public Comment**

Mr. Chatty commented on the following: 1) Caltrain and BART fatalities; and 2) BART expansion.

#### 8.5. ANNOUNCEMENTS

There were no Announcements.

#### **Public Comment**

Mr. Chatty commented on the guardrail on Highway 101 that Former Morgan Hill Mayor and VTA Board Member Dennis Kennedy and Former Gilroy Mayor Don Gage were instrumental in building.

#### 10. ADJOURNMENT

**On order of Chairperson Chavez** and there being no objection, the meeting was adjourned in memory of Dennis Kennedy at 9:55 p.m.

Respectfully submitted,

Thalia Young, Board Assistant VTA Office of the Board Secretary



Date: April 26, 2016
Current Meeting: May 5, 2016
Board Meeting: May 5, 2016

#### **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 El Camino Real Rapid Transit Corridor Policy Advisory

Board

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

#### **ACTION ITEM**

#### **RECOMMENDATION:**

Ratify the indicated appointments to the El Camino Real Rapid Transit 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 membership of the El Camino Real Rapid Transit PAB membership consists of the County of Santa Clara and the cities of Los Altos, Mountain View, Palo Alto, San Jose, Santa Clara, and Sunnyvale.

The VTA Administrative Code provides that each of these 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 two appointments to the El Camino Real Rapid Transit PAB. Both meet the requirement of being a governing board member from the appointing jurisdiction. The appointments are:

- Debi Davis, representing the City of Santa Clara (Alternate Member)
- Gustav Larsson, representing the City of Sunnyvale (Member)

The first appointment is to fill seat resulting from the recent resignation of former Santa Clara mayor, Jamie Matthews. The second fills the position resulting from the recent resignation of Sunnyvale city council member, David Whittum.

#### **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.

Prepared by: Stephen Flynn, Advisory Committee Coordinator

Memo No. 5543



Date: April 28, 2016
Current Meeting: May 5, 2016
Board Meeting: May 5, 2016

#### **BOARD MEMORANDUM**

**TO:** Santa Clara Valley Transportation Authority

Board of Directors

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

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

**SUBJECT:** Amend the Peninsula Corridor Joint Powers Board (PCJPB) Cooperative

Agreement to Add Los Gatos Bridge Project

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

#### **ACTION ITEM**

#### **RECOMMENDATION:**

Authorize the General Manager to negotiate and execute an amendment ("Amendment") to add the Los Gatos Creek Bridge Replacement Project ("Project") to the Cooperative Agreement ("Agreement") with the Peninsula Corridor Joint Powers Board (Caltrain) regarding right of way acquisition services in Santa Clara County. The Amendment would authorize the General Manager to approve and execute an Amendment to the Agreement and any documents necessary to implement the amended Agreement, and permit staff to agendize hearings for the Board to consider the adoption of Resolutions of Necessity if negotiated acquisition activities were unsuccessful.

#### **BACKGROUND:**

On October 1, 2015, the Board authorized the General Manager to negotiate and execute the Agreement between the Peninsula Corridor Joint Powers Board (Caltrain) and VTA for Right of Way Acquisition Services for the Peninsula Corridor Electrification Project (PCEP). The Board action also permitted staff to agendize Board hearings to consider the adoption of Resolutions of Necessity if negotiated acquisitions were unsuccessful. The Agreement was fully executed on November 30, 2015.

In December 2015, the parties realized that language related to the timing of payments did not fully discuss the parties' understanding of when payment was to be made. As a result, the General Managers of the agencies signed onto a letter clarifying that VTA would not have to front money for broad acquisition costs except for its staff costs.

In April 2016, Caltrain approached VTA with a request to amend the Agreement to include the Los Gatos Bridge Replacement Project (Project) in order for VTA to provide similar right of way services for the Project as it is providing for the PCEP under the Agreement. The Project is located at the railroad bridge over Los Gatos Creek, south of San Jose Diridon Station and north of Auzerais Avenue. The Project replaces the existing two-track bridge, which has exceeded the 75-year useful life for which it was designed, with three single track bridges. The third track is required as a shoofly to allow for the continuation of service during the demolition and construction of the existing two tracks.

The Project will remove the Los Gatos Creek Bridge, including abutments, and replace it with a new railroad bridge in the existing footprint and a tail track to the west of the existing bridge. Construction of the new railroad bridge requires protection and relocation of the underground utilities in the right-of-way and/or attached to the existing bridge. The Project will also mitigate creek impacts.

Within Santa Clara County, the Project requires acquiring three parcels for construction staging, temporary access and permanent maintenance of the improvements (Project Properties).

The parties now desire to amend the agreement to codify the understanding reached in December related to fronting of acquisition cost money and to allow the acquisition of real estate parcels for the Project to be included within the terms of the Agreement.

#### **DISCUSSION:**

The proposed Amendment clarifies the Agreement terms related payment of acquisition costs. The Agreement currently states VTA would front certain "acquisition costs" and Caltrain would repay VTA for those costs at a later date. The Agreement, however, does not define these "acquisition costs," even though the parties' intention was that such acquisition costs only referred to VTA's staff time. Though this issue has been clarified in a letter between the VTA and Caltrain General Managers, this amendment would make clear in the Agreement, itself, that Caltrain will be responsible for direct payment of any up-front acquisition costs, except for VTA staff time (which shall be reimbursed pursuant to a procedure currently set forth in the Agreement).

In addition, the Amendment would allow the Project Properties to be included within the terms of the Agreement. Under the Amended Agreement, the parties would follow the same protocol with the Project Properties as they currently follow with the properties needed for Caltrain Electrification. Thus, Caltrain would attempt to acquire each of the Project Parcels through a negotiated agreement with the property owner. If such negotiations are unsuccessful, however, acquisition of the Project Parcels would require use of the eminent domain process. Since Caltrain does not have the power of eminent domain in Santa Clara County, it would then request VTA to perform that function on its behalf.

VTA cannot pre-commit to any eminent domain action until VTA's Board adopts a Resolution of Necessity. Thus, this Amendment would not bind a future Board to authorize condemnation of the Project (or any other property). However, this Amendment would commit VTA staff to

work with Caltrain staff to bring a Resolution of Necessity to acquire any of the Project Properties to the Board for its independent consideration.

In addition, under this Amendment, the costs of all property acquisitions, as well as attorneys' fees and consultant costs, related to any condemnation would be solely borne by Caltrain.

#### **ALTERNATIVES:**

The Board could decline to grant this authority to the General Manager, which could impact the construction schedule for the Project.

#### **FISCAL IMPACT:**

The cost of acquiring real estate is the responsibility of Caltrain. All VTA real estate and legal costs associated with implementing the Agreement are reimbursed by Caltrain.

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

The Administration & Finance Committee did not consider this item due to the cancellation of its April 21, 2016 meeting.

Prepared by: Kevin Balak

Memo No. 5548



Date: April 28, 2016
Current Meeting: May 5, 2016
Board Meeting: May 5, 2016

#### **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:** FY16/17 Transportation Development Act (TDA)/State Transit Assistance

(STA) Claim

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

#### Resolution

#### **ACTION ITEM**

#### **RECOMMENDATION:**

Adopt a resolution authorizing the filing of an annual claim to the Metropolitan Transportation Commission (MTC) for allocation of FY 2016-2017 Transportation Development Act (TDA) and State Transit Assistance (STA) funds.

#### **BACKGROUND:**

Transportation Development Act (TDA) funds originate from a statewide 1/4-cent sales tax that is returned to a Local Transportation Fund (LTF) in the county of origin specifically for transit purposes. Since FY 1992-1993, VTA has claimed all available TDA funds to offset annual operating expenses, including funds apportioned according to TDA Article 4.0 (public transit) and Article 4.5 (paratransit) funds.

State Transit Assistance (STA) funds are derived from the statewide sales tax on diesel fuel and appropriated by the Legislature to the State Controller's Office. That Office then allocates the tax revenue, by formula, to planning agencies (e.g. MTC) and other selected agencies. Statute requires that 50% of STA funds be allocated according to population and 50% be allocated according to operator revenues from the prior fiscal year.

MTC apportions a relatively small amount of STA funds to VTA for paratransit purposes, and a larger amount for general transit operating or capital purposes. VTA's combined TDA/STA Claim to MTC is made with the understanding that budgeted funding for the paratransit program

will be at least as large as the combined total of TDA Article 4.5 and STA paratransit funds. The FY 2016 adopted budget includes \$19,817,000 for paratransit services.

As a result of the passage of Assembly Bill 1951 (Chapter 632, Statutes of 2000), VTA is eligible to claim STA funds on behalf of Altamount Corridor Express (ACE). AB 1951 amended Public Utilities Code Sections 99314 and 99314.3 and added Section 99314.1 to provide STA funds for ACE to be allocated to ACE member agencies to help meet their obligations for ACE operating costs. Each member agency now claims a prorated share of the STA funding earned as a result of operating ACE.

#### **DISCUSSION:**

VTA is required to file a claim with MTC in order to receive its annual allocations of TDA and STA funding. Although there is no official estimate at this point, a reasonable calculation based on available information for this year's TDA/STA estimates (net of FY2015-16 adjustments) are:

#### **Source Amount**

TDA Article 4.0 (Public Transit) TDA Article 4.5 (Paratransit) Total TDA	\$ 91,430,754 <u>\$ 4,812,145</u> \$ 96,242,899
STA VTA Revenue Estimate	\$ 10,365,942
STA Paratransit Revenue Estimate	\$ 1,073,858
STA ACE Revenue Estimate	<u>\$ 213,347</u>
Total STA	\$ 11,653,347

TOTAL TDA/STA \$ 107,896,246

#### **ALTERNATIVES:**

There is no alternative to this recommendation if VTA intends to claim the combined TDA and STA revenues.

#### **FISCAL IMPACT:**

The TDA and STA funds will be used to support VTA operations, including those associated with paratransit service and VTA's contribution to ACE operations as included in the FY 2017 VTA Transit Fund Operating Budget.

#### STANDING COMMITTEE DISCUSSION/RECOMMENDATION:

The Administration & Finance Committee did not consider this item due to the cancellation of its April 21, 2016 meeting.

Prepared by: Lorena Bernal-Vidal

Memo No. 5499

#### **Attachment A**

Resolution	No.

# RESOLUTION AUTHORIZING THE FILING OF A CLAIM WITH THE METROPOLITAN TRANSPORTATION COMMISSION FOR ALLOCATION OF TRANSPORTATION DEVELOPMENT ACT AND STATE TRANSIT ASSISTANCE FUNDS FOR FISCAL YEAR 2016-2017

**WHEREAS**, a Local Transportation Fund (LTF) has been established by the Board of Supervisors of the County of Santa Clara pursuant to Article 11, Chapter 2, Division 3 of Title 3 of the Government Code, commencing with Section 29530, for the purpose of collecting local sales tax for transit purposes; and

**WHEREAS**, the Transportation Development Act (TDA), Chapter 4 of Part 11, Division 10 of the Public Utilities Code commencing with Section 99200 provides for the disbursement of funds from the Local Transportation Fund (LTF) of the County of Santa Clara for use by operators and eligible claimants for the support of public transit systems, and community transit (paratransit) services; and

**WHEREAS**, pursuant to the provisions of the TDA, and pursuant to the applicable rules and regulations thereunder (21 Cal. Code of Regs. Section 6600 et. seq.), a prospective applicant wishing to receive an allocation from the LTF shall file its claim with the Metropolitan Transportation Commission (MTC); and

**WHEREAS**, the State Transit Assistance (STA) fund is created pursuant to Public Utilities Code Section 99313.6; and

WHEREAS, STA Fund monies are available for allocation to eligible applicants for public transportation purposes and community transit services; and

**WHEREAS**, allocations from the Local Transportation Fund of Santa Clara County and the State Transit Assistance Fund will be required by the Santa Clara Valley Transportation Authority (VTA) in Fiscal Year 2016-2017 for the support of public transportation systems; and

WHEREAS, VTA will file a combined claim for TDA Article 4.0 (transit operations) and Article 4.5 (paratransit) funds, and commits to spend an amount at least equal to the total available for paratransit purposes through Public Utilities Code Section 99313, 99313.6 and 99314 to fulfill its commitments toward the implementation of its obligations under the Americans With Disabilities Act (ADA); and

**WHEREAS**, VTA is an eligible claimant for TDA and STA funds for the purposes set forth in Public Utilities Code Sections 99260(a) and 99275(a) as attested to by the Opinion of Counsel Dated 5/3/16.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Directors of the Santa Clara Valley Transportation Authority, that the General Manager is authorized to execute and file the appropriate TDA, LTF and STA claim with all necessary supporting documents, with the Metropolitan Transportation Commission for an allocation of TDA, LTF and STA funds in Fiscal Year 2016-2017; and

**BE IT FURTHER RESOLVED**, that the VTA General Manager is designated to furnish such additional information as the Metropolitan Transportation Commission may require in connection with the claim; and

**BE IT FURTHER RESOLVED**, that a copy of this Resolution be transmitted to the Metropolitan Transportation Commission in conjunction with the filing of the claim; and the Metropolitan Transportation Commission hereby is requested to grant the allocations of funds as specified herein.

	rd of Directors of the Santa Clara Valley Transportation Authority
on	_ by the following Vote:
AYES:	
NOES:	
ABSENT:	
Cindy Chavez, Chairperson	
Board of Directors	
ATTEST:	
ATTEST.	
Elaine Baltao, Secretary	
Board of Directors	
APPROVED as to Form	
 ROBERT FABELA	

General Counsel



Date: April 28, 2016
Current Meeting: May 5, 2016
Board Meeting: May 5, 2016

#### **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 Formula and Criteria

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

## **ACTION ITEM**

## **RECOMMENDATION:**

Approve the Santa Clara County One Bay Area Grant (OBAG) Cycle 2 Guarantee Program Distribution Formula and Countywide Competitive Complete Streets Project Selection Criteria.

#### **BACKGROUND:**

The One Bay Area Grant Program (OBAG) was created by the Metropolitan Transportation Commission (MTC) in May 2012 to better integrate the region's discretionary federal highway funding program with California's climate statutes and the Sustainable Communities Strategy (SCS). The VTA Board programmed the initial cycle (OBAG 1) in June 2013.

The MTC Commission is now scheduled to approve final OBAG 2 procedures and guidance in April 2016. OBAG 2 will include FY 2018-2022 Surface Transportation Block Grant Program (STBGP) and Congestion Mitigation and Air Quality (CMAQ) funds. Comprehensive information on both OBAG 1 and OBAG 2 is available at <a href="http://www.mtc.ca.gov/funding/obag2/">http://www.mtc.ca.gov/funding/obag2/</a>

The current OBAG Cycle 2 estimate for Santa Clara County is approximately \$95 million. With the new five-year surface transportation authorization, Fixing America's Surface Transportation ACT (FAST), the region is expected to receive additional STBGP and CMAQ funds. MTC staff is developing options for the distribution of these additional funds.

Due to the complexity of the program, VTA staff has developed the local OBAG 2 programming framework with VTA's Advisory Committees in a two-part process: (1) Program Structure and (2) Guarantee Formulas and Project Selection Criteria.

The VTA Citizens Advisory Committee (CAC), Technical Advisory Committee (TAC) and Policy Advisory Committee (PAC) discussed and recommended the program structure at their respective October 2015 meetings. On November 5, 2015, the Board of Directors approved the program structure as shown in Attachment A.

## **DISCUSSION:**

This memo presents the OBAG 2 Guarantee Program and Project Selection Criteria for the Competitive Complete Streets program for approval. Over several months, VTA staff has developed both the formula and criteria that meet Federal and regional requirements, and VTA policies in consultation with VTA Advisory and Standing Committees, the Technical Advisory Committee's three working groups and VTA's Community partners.

Santa Clara County's share of OBAG funding is expected to be composed of 59% STBGP and 41% CMAQ. This funding split creates its own limitations as the eligibility for each funding program varies. By eligibility requirements, STBGP funds are used for Congestion Management Agency (CMA) planning, Federal Aid Secondary roads, and local streets and roads preservation. CMAQ funds are compatible with complete streets projects.

*CMA Planning Funds:* VTA staff recommends programming \$10 million for CMA planning and programming over the five year period of the program. VTA currently receives approximately \$1.5 million per year from this source from MTC. These activities are only eligible for STBGP.

Federal Aid Secondary (FAS): The Federal Aid Secondary (FAS) program directs funding to rural county roads. The county CMAs are required to ensure the counties receive their guaranteed annual funding through the OBAG county program. Counties may access their FAS funding at any time within the OBAG 2 period for any project eligible for STBGP funding. Guaranteed minimum FAS funding amounts are determined by California's Federal-Aid Secondary Highways Act (California Code § 2200-2214). This FAS funding is not subject to the minimum PDA investment requirement. The County of Santa Clara will receive \$1.7 million covering the duration of the OBAG 2 cycle.

#### Agency Guarantee Program:

Road Rehabilitation Guarantee: VTA staff recommends making the STBGP funds available to the cities 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.

<u>Guarantee Distribution Formula</u>: VTA staff proposes to use MTC's OBAG formula as the basis for directing Guarantee program funds to each agency. The OBAG formula meets Federal and regional requirements and responds to regional direction to reward

cities and counties that have produced, and will continue to produce new housing.

Table 1 -Santa Clara County OBAG 2 Formula

Factor	Percentage
Population	50%
Actual Housing Production 1999 - 2014, All Units	12%
Actual Housing Production 1999 - 2014, Low Income Units	18%
Regional Housing Needs Allocation, 1999 - 2014, All Units	8%
Regional Housing Needs Allocation, 1999 - 2014, Low Income Units	12%

Attachment B shows each city's projected total Guarantee share.

*Monte Sereno*: The City of Monte Sereno's formula share in the 2010 Block Grant was too small for a viable project. The City was offered \$250,000; with the condition that there would be no additional guaranteed programming until its share was "paid back" in future programming rounds. The City did not claim the funds in 2010, and they were distributed to other agencies. In OBAG 1, VTA staff re-extended the offer and the City accepted. The approximate payback period is approximately 10 -15 years. Therefore, the City is not eligible for OBAG 2 guarantee funds.

Los Altos Hills: The Town of Los Altos Hills' formula share in OBAG 1 was doubled by a payback adjustment from previous grant programs. Similar to the City of Monte Sereno, the Town's OBAG 2 share is too small for a viable project. The Town was offered \$250,000, with the same condition regarding future programming rounds. The Town's initial response is to decline programming in OBAG 2, with the understanding that a similar arrangement would be available in the next programming cycle.

## Countywide Competitive Complete Streets Program:

*Eligibility:* As with OBAG 1, this program will solicit and evaluate a broad array of project types in a single call, using the same criteria for each project type. The competitive program will be funded with CMAQ. Projects must be CMAQ eligible and be located either in, or directly serve a Priority Development Area (PDA). A map of current PDAs in Santa Clara County can be found as Attachment C. Table 2 shows the project types that will be eligible for Countywide Competitive Complete Streets Program Funding.

Table 2 -Santa Clara County OBAG 2 Eligible Projects

Eligible Project Category	Valley Transportation	Distinguishing Characteristics
	Plan Consistency	
Bicycle Expenditure	Listed in most recent BEP	Regional Focus: Class I, II, III
Program	update and BEP constrained	Bike/Ped Facilities
	list.	
Local Bike/Ped Projects -	Project level listing in	Local Focus: Class I, II, III
VTP 2040*	VTP/BEP 2040.	Facilities
Bike/Ped/Streetscape	No specific VTP listing	Local Focus: Class II, III
Projects - Multi-modal	required, if project is Air	Facilities; provides (or
Transportation Investment	Quality Conformity Exempt	significantly upgrades) missing
(Street Completion)		elements on existing streets such
		as sidewalks, bike lanes, trees, etc.
		and/or alters street design to
		facilitate multi-modal use.
Transportation Demand	No specific VTP listing	TDM, Safe Routes to School
Management (TDM) and	required, if project is Air	(capital), Parking Management,
Other	Quality Conformity Exempt	Mobility Management

<sup>\*</sup>If a project was not submitted as part of the VTP call-for-projects, a sponsor can still complete the VTP2040 form at the same time as the OBAG application.

<u>Criteria</u>: Project Selection Criteria for the Competitive Complete Streets program were approved during the OBAG 1 cycle. In consultation with community partners and various VTA committees, the criteria remain similar. Most notable changes include: the minimum grant size increases from \$350,000 to \$500,000; Project Benefits category detail includes points for the use of best complete streets design practices; and Proximity to Designated High Ridership Transit stop category replaces Proximity to Transit Station. Changes are highlighted in OBAG 2 (Attachment D) compared to OBAG 1 (Attachment E). Project sponsors must also commit to providing design drawings to VTA to verify adherence to relevant Complete Streets deisgn standards. For projects that have not yet begun the design phase, those should be provided at 35% design completion.

VTA staff will issue a competitive call for Complete Streets projects tentatively scheduled for mid-May 2016. The program schedule is shown in Table 3.

Table 3 - OBAG 2 Schedule

Task	Date (2016)
TAC/PAC/CAC/BPAC/CMPP review formula & criteria	April
VTA Board approves formula & criteria	May 5
Issue Call-for-Projects	May 9
Applications due to VTA	July 15
VTA staff review applications	July 16 - July 22
CIP Working Group Scoring Committee	August 1 - August 5
TAC/PAC/CAC/BPAC/CMPP review Program of Projects	mid-September
BOD Adopts Program of Projects	October 6

County Expressways: County Roads' Guarantee share is based on the current population and planned development of the unincorporated areas. This base falls far short of what is required to maintain the County Expressway system, which serves most of the South Bay's PDAs. County Roads has identified five critical expressway segments which are in urgent need of rehabilitation and repavement. These are:

- Lawrence Expressway southern terminus in San Jose/Saratoga
- Central Expressway between Wolfe & Mayfield in Sunnyvale and Mountain View
- Central Expressway -between Lafayette & Wolfe in Santa Clara and Sunnyvale
- Almaden Expressway between Blossom Hill & Harry Road in San Jose
- San Tomas between US 101 and I-280

VTA staff proposes to provide \$5 million of STBGP to the County for this purpose from the Countywide Competitive Complete Streets Program. The County will dedicate its' VRF funding for the OBAG time period to these projects, and will refrain from competing for additional OBAG 2 projects in the Competitive Complete Streets Program.

OBAG 1 Projects De-programmed from the State Transportation Improvement Program (STIP): Two of the OBAG 1 Competitive Complete Streets Program projects received funding from the STIP. The projects are Palo Alto's Adobe Creek Bridge project for \$4.35 million and San Jose's St. John Multimodal Street Improvements project for \$1.5 million. The STIP is facing a \$753 million statewide shortfall, and these projects are at risk of being deleted from the STIP by the California Transportation Commission. At its March 3, 2016 meeting, the VTA Board directed that these two projects should receive funding from the OBAG 2 Competitive Complete Streets Program if this occurs.

#### **ALTERNATIVES:**

The Committee may recommend alternative formulas and criteria.

#### **FISCAL IMPACT:**

If adopted as proposed, \$10,000,000 will be made available for future VTA Congestion Management Program budgets covering fiscal years 2018 through 2022.

#### ADVISORY COMMITTEE DISCUSSION/RECOMMENDATIONS:

The Citizens Advisory Committee (CAC), Bicycle and Pedestrian Advisory Committee (BPAC), Technical Advisory Committee (TAC) and Policy Advisory Committee considered this item at their respective April 13 and 14, 2016 meetings. All Committees unanimously recommended the VTA staff proposal to the VTA Board for Approval.

CAC, BPAC and PAC: Committee members approved item on the Consent Agenda.

TAC: Received a presentation on the item. Member Abbas moved to remove the screening criteria of submitting 35% design drawings to VTA. Motion was approved.

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

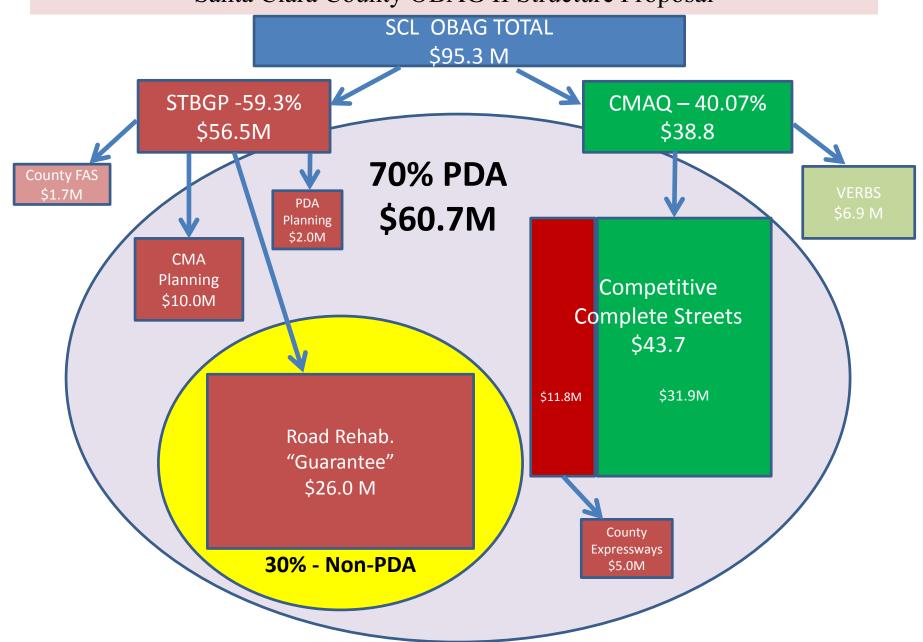
The Congestion Management Planning and Programming (CMPP) Committee received a presentation on this item at its April 21, 2016 meeting. Alternate Member Esteves requested an explanation of how the criteria addressed congestion relief. Staff responded the OBAG program is designed to support PDA development. Large scale congestion relief projects such as transit or auto-oriented roadway expansion are ineligible. Without a quorum, the Committee of the Whole referred the item to the VTA Board of Directors.

Prepared by: Celeste Fiore Memo No. 5271

#### ATTACHMENTS:

•	RES 5271 Attach A	(PDF)
•	RES 5271 Attach B	(PDF)
•	RES 5271 Attach C	(PDF)
•	RES 5271 Attach D1	(PDF)
	RES 5271 Attach F	(PDF)

## Santa Clara County OBAG II Structure Proposal

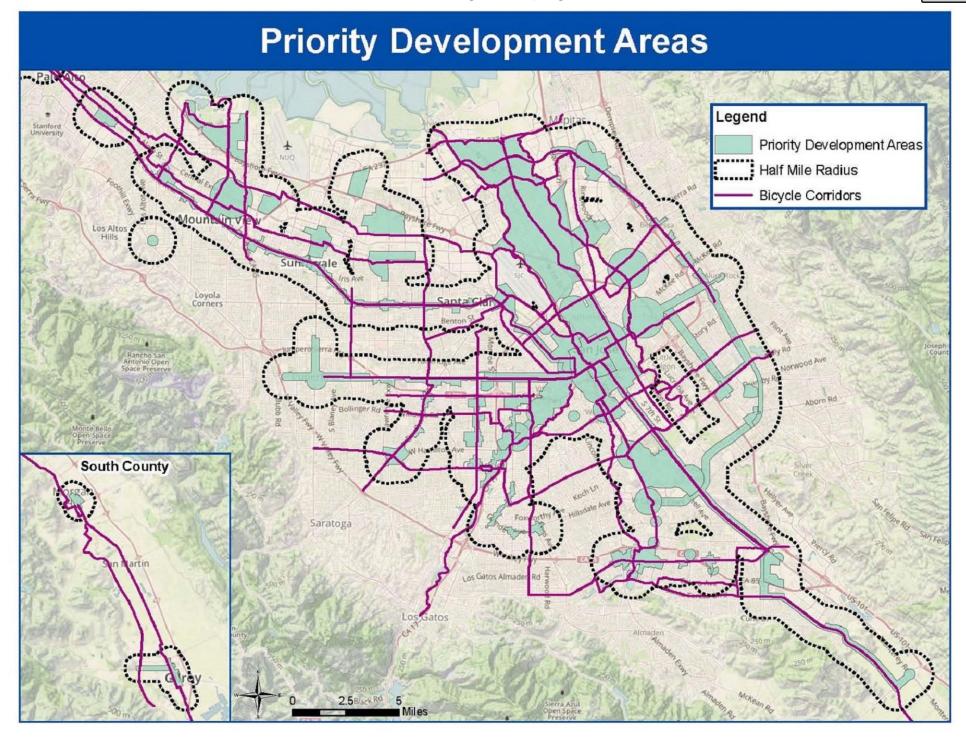


## ATTACHMENT B

One Bay Area Grant Cycle 2 Agency Guarantee Program Formulas and Shares

Santa Clara County Local Agency	Population %	OBAG Share %	Total Est. OBAG (rounded to 1,000s)
Campbell	2.2%	1.9%	\$503,000
Cupertino	3.2%	2.7%	\$698,000
Gilroy	2.8%	3.6%	\$933,000
Los Altos	1.6%	1.2%	\$305,000
Los Gatos	1.6%	1.2%	\$310,000
Milpitas	3.7%	5.6%	\$1,460,000
Morgan Hill	2.2%	3.0%	\$778,000
Mtn View	4.1%	4.0%	\$1,030,000
Palo Alto	3.6%	3.5%	\$916,000
San Jose	53.7%	51.0%	\$13,248,000
Santa Clara	6.5%	8.2%	\$2,138,000
Saratoga	1.6%	1.2%	\$307,000
Sunnyvale	7.9%	9.0%	\$2,329,000
SC County	4.7%	4.0%	\$1,045,000
Los Altos Hills	0.4%		
Monte Sereno	0.2%		
Total	100.0%	100.0%	\$26,000,000

All funds are Federal Surface Transportation Block Grant Program



## ATTACHMENT D

## Santa Clara County OBAG 2 Discretionary Program Scoring Criteria FY2018-2022

PRE-SCREENING CRITERIA CHECKLIST:	SCREENING CRITERIA CHECKLIST:
2008 Complete Streets Act Compliance	VTP 2040 Consistency Will incorporate complete streets design guidelines
Housing Policies in Place (TBD)	MTC Complete Streets Checklist
·	PDA (and proximate access) location(s)
	Grant Request $\geq$ \$500,000

**CRITERIA: Minimum Score 25 points** 

CATEGORIES	DETAILS	MAX PTS
	High: Project will address a demonstrated safety issue (e.g. multiple collisions/fatalities/injuries on a regular basis) with a proven/demonstrated countermeasure.	
Safety	Medium: Project will improve a situation with safety issues (e.g. conflicts or evidence of high vehicle traffic volume or speed).	15
	Low: Project will generally improve safety issues. Project has the potential to reduce exposure/risk of conflicts between motor-vehicles and bike/pedestrians.	
Project Benefits: Catalyst for Economic Vitality; Livability (Design); Multimodal	Project has identifiable benefits beyond typical transportation benefits (improves livability, economic vitality; creates sense of place)  Project uses best complete streets design practices (application indicates which guidelines will be used).  Project serves and/or improves three (3) or more transportation modes.	10
Gap Closure/ Connectivity	Project proposes a shorter route, completes sidewalks, closes gaps in a transportation facility and/or multimodal network.	10
Air Quality Improvement and/or Vehicle Miles Traveled (VMT) Reduced	Project demonstrates it can improve air quality by reducing emissions or lessening traffic congestion and/or the project employs strategies to reduce VMT (such as mobility management, bike/ped facilities, parking mgmt, etc.).	10
Public Involvement/Support	Project developed through a collaborative planning process that included broad partnerships among a variety of stakeholders.	10
Local Match	Agency can commit from 12% to ≥ 21% of total project cost from non- federal sources. (one point for each 1 percent to 10 points max)	10
Project Readiness/Delivery	Categorical Exclusion (CE)     pts     Not CE     pts       Design Complete     5     ENV Complete     4       ROW Complete     5     Design Complete     3       ROW Complete     3	10
Jobs Density (current and future) within ABAG defined PDA	Ranges (jobs per acre)         pts           High: (30+)         5           Medium: (10-30)         3           Low: (1-9)         1   (Include map to show project's location)	5
Housing Density (current and future) within ABAG defined PDA	Ranges (housing units per acre) pts High: (20+) 5 Medium: (10-20) 3 Low: (1-9) 1  (Include map to show project's location)	5
Community of Concern and/or Community Air Risk Evaluation (CARE)	Project is located within a COC and/or CARE area. Map included showing project location. Y/N?	5
Affordable Housing &/or Senior/Disabled- Serving Facilities	Project is within:  1/8 mile of affordable housing and/or a senior/disable facility Y/N?  1/4 mile of affordable housing and/or a senior/disable facility Y/N?  2 (Include map to show facilities location)	5
Proximity to designated high ridership transit stop (rail, bus, BRT)	Project is within:  1/4 mile of Major transit stop (≥ 200 boardings/day)  1/4 mile of Core transit stop (40 - 199 boardings/day)  2 (Include map/photo to show public transit stop location)	5

100

RONUS

BEP Plan	Project is in the Bicycle Expenditure Program Y/N?	10

## ATTACHMENT E

## Santa Clara County OBAG 1 Discretionary Program Scoring Criteria FY2013-2016

PRE-SCREENING CRITERIA CHECKLIST:	SCREENING CRITERIA CHECKLIST:
2008 Complete Streets Act Compliance	VTP 2040 Consistency
Housing Element Completed/HCD certified	MTC Complete Streets Checklist
_	PDA (and proximate access) location(s)
CRITERIA: Minimum Score 25 points	Grant Request $\geq$ \$350,000

CRITERIA: Minimum Score 25 points	Grant request = \$550,000		
CATEGORIES	DETAILS	MAX PTS	
Safety	High: Project will address a demonstrated safety issue with a proven or demonstrated countermeasure.  Medium: Project will improve a situation with some safety issues (e.g. some reported collisions, conflicts, near-misses, or evidence of high vehicle traffic volume or speed).  Low: Project will generally improve safety, even though there are no known problems. Project will reduce exposure/risk of conflicts between motor-vehicles and bike/pedestrians.		
Project Benefits: Catalyst for Economic Vitality; Livability (Design); Multimodal Synergy	The overall project will have identifiable and likely synergistic effects.  The overall project will improve livability and create a sense of place by using Good Design and Best Practices.  Project addresses and/or improves three (3) or more transportation modes.	10	
Gap Closure/ Connectivity	Project proposes a shorter route, completes sidewalks, closes gaps in a transportation facility and/or multimodal network.	10	
Air Quality Improvement and/or Vehicle Miles Traveled (VMT) Reduced	Project demonstrates it can improve air quality by reducing emissions or lessening traffic congestion and/or the project employs strategies to reduce VMT (such as travel demand management, bike/ped facilities, parking mgmt, etc.).	10	
Public Involvement/Support	Project developed through a collaborative planning process that included broad partnerships among a variety of stakeholders.	10	
Local Match	Project can commit from 12% to $\geq$ 21% of total project cost from non- federal sources. (one point for each 1 percent to 10 points max)		
Project Readiness/Delivery	Categorical Exclusion (CE)ptsNot CEptsDesign Complete5ENV Complete4ROW Complete5Design Complete3ROW Complete3	10	
Jobs Growth within ABAG defined PDA (ONE category only)	Jobs Growth per net acreptsHigh: (Range TBD)5Medium: (Range TBD)3Low: (Range TBD)1	5	
Housing Growth within ABAG defined PDA (ONE category only)	Housing Growth per net acre pts High: (Range TBD) 5 Medium: (Range TBD) 3 Low: (Range TBD) 1	5	
Community of Concern and/or Community A Risk Evaluation (CARE) program	Project is located within a COC and/or CARE area. Map included showing project location. Y/N?		
Affordable Housing &/or Senior/Disable Facilities	Project is within:  1/8 mile of affordable housing and/or a senior/disable facility Y/N?  1/4 mile of affordable housing and/or a senior/disable facility Y/N?  2 (Include map to show housing/senior/disable facilities location)	5	
Proximity to Transit Station	Project is within:  1/8 mile of public transit station Y/N?  1/4 mile of public transit station Y/N?  2 (Include map/photo to show public transit facilities location)	5	
		100	

		BONUS
BEP Plan	Project is in the Bicycle Expenditure Program Y/N?	10



Date: April 28, 2016
Current Meeting: May 5, 2016
Board Meeting: May 5, 2016

#### **BOARD MEMORANDUM**

**TO:** Santa Clara Valley Transportation Authority

Board of Directors

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

**FROM:** Chief Operating Officer, Inez Evans

**SUBJECT:** Altamont Commuter Express 2016 Proposed Fare Increase

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

## **ACTION ITEM**

## **RECOMMENDATION:**

Approve proposed changes to the Altamont Commuter Express (ACE) fares to implement a 5.25% fare increase effective October 3, 2016 subject to San Joaquin Regional Rail Commission Board review and approval.

## **BACKGROUND:**

VTA has been a partner in the ACE service since its inception in October, 1998. Since June, 2003, a Cooperative Services Agreement amongst the San Joaquin Regional Rail Commission (SJRRC), the Alameda County Congestion Management Agency (now the Alameda County Transportation Commission, ACTA) and VTA has governed the ACE service. The Cooperative Agreement sets out the service, governance and operating and capital funding responsibilities for each of the parties. The SJRRC is designated as the owner, operator and policymaking body for the ACE service. Currently, ACE operates four weekday roundtrip trips between Stockton and the San Jose Diridon Station and carries 3,400 to 4,400 passengers daily. Current fares are shown in Attachment A.

Section 6.2.3 of the Cooperative Agreement requires that SJRRC receive approval of certain changes to the ACE service from ACTA and VTA before the changes are made. These changes include funding, reduction or addition of station stops, schedule changes outside the peak period and fares.

VTA's operating subsidy for ACE service is for the Baseline level of service only, which is based on the three round trip service that existed when the Cooperative Agreement was adopted.

VTA's and ACTA's operating contributions are based on the amount paid in FY2003 with an annual CPI adjustment. In FY2003, VTA's subsidy was \$2,013,682 and in FY2016 the VTA subsidy is \$3,125,632.

#### **DISCUSSION:**

At their March 4, 2016 Meeting the San Joaquin Regional Rail Commission authorized a public comment period through May 6, 2016 for a proposed 5.25% fare increase for all ACE fares, to be effective October 3, 2016. They also set a public hearing for adoption of the ACE fare increase at their May 6 meeting.

The annual Consumer Price Index (CPI) for Urban Wage Earner and Clerical Workers, San Francisco-Oakland-San Jose Area is used by ACE as a basis for fare increases, adjusted by any significant regional or industry factors. The CPIs for December 2013-December 2015 is 5.31%.

Based upon the CPI data, SJRRC staff is proposing a 5.25% increase (actual CPI down to the nearest .25%) to all fares, with all increases rounded up to the nearest \$0.25 increment. The proposed fares are shown in Attachment A. Note ACE has two fare charts, one for adult fares and a 50% discounted fare for children ages 6 to 12, seniors and persons with disabilities.

A public comment period and public hearing is required to be held by the SJRRC Board. The schedule is included below:

March 4, 2016 -Open Public Comment Period until May 6, 2016

May 6, 2016 -Public Comment Period Closes

-Open Public Hearing -Receive Comments -Close Public Hearing

-Consider Adopting a resolution implementing the fare increase

Information on public comments received before the VTA Administration and Finance Committee meeting on April 21, 2016 will be presented at the committee meeting.

ACTA will consider this fare item for approval at their May 6, 2016 Board meeting.

If approved, staff will redesign the fare media to create a distinctly new identity allowing the Passenger Service Agents (PSAs) to quickly determine valid fares. Ticket stock from October 2014 fare increase will be honored for no more than 90 days (October 3, 2016 - December 31, 2016) for travel or after that time maybe upgraded at face value.

Additionally, to avoid confusion and delay, staff is proposing that refunds be prohibited due to the high cost, passenger inconvenience, and disruptive process of returning partially used and/or previous fare media. However, SJRRC will honor tickets purchased January 2013 and forward for upgrade.

## **ALTERNATIVES:**

The Board could decide not to approve the proposed fare changes, which would be inconsistent with the ACE fare program to implement regular fare increases based on CPI and the terms of the Cooperative Agreement.

## **FISCAL IMPACT:**

The proposed fare increase is projected to add about \$420,000 annually. The fare increase will not change VTA's subsidy as it is set per agreement at the FY2003 level with an annual CPI based increase.

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

The Administration & Finance Committee did not consider this item due to the cancellation of its April 21, 2016 meeting.

Prepared by: Aaron Vogel Memo No. 5524

#### ATTACHMENTS:

Attachment A - ACE 2016 Proposed Fare Increase (PDF)

ACE Regular Fares

		Lathrop	Tracy	Vasco	Livermore	Pleasanton	Fremont	G. America	Santa Clara	San Jose
The second	One Way	4.50	5.50	9.50	9.50	9.50	10.75	13.75	13.75	13.75
ever	R/T	5.50	10.75	14.75	14.75	14.75	19.50	24.25	24.25	24.25
SKT	20 Ride	46.75	83,25	117.75	117.75	117.75	152.50	188.25	188.25	188.25
	Monthly	87.00	151.00	216.50	216.50	216.50	280.25	345.75	345.75	345.75
	One Way		5.25	9.00	9.00	9.00	10.25	12,75	1275	12.75
77.4	R/T		10.25	14.25	14.25	14.25	18:00	23.25	23.25	23.25
LAT	20 Ride		79,00	112.50	112.50	112.50	146 00	180.00	180.00	180.00
	Monthly	Ro-III	144.25	207.00	207.00	207.00	268.50	331.50	331.50	331.50
	One Way			5.25	5.25	5.25	9.00	10.25	10.25	10.25
TDC	R/T			10.25	10.25	10.25	14.25	18.00	18.00	18.00
TRC	20 Ride			79.00	79.00	79.00	112.50	146.00	146.00	146.00
	Monthly			144.25	144.25	144.25	207.00	268.50	268.50	268.50
	One Way				4.00	4.00	5.25	9.00	9.00	9.00
TD1 \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	R/T				5.25	5.25	10.25	14.25	14.25	14.25
TRI-VALLEY	20 Ride				45.00	45.00	79.00	112.50	112.50	112.50
	Monthly				83.50	83.50	144.25	207.00	207.00	207.00
	One Way					4.00	5.25	9.00	9.00	9.00
	R/T				The little of	5.25	10.25	14.25	14.25	14.25
TRI-VALLEY	20 Ride					45.00	79.00	112.50	112.50	112.50
	Monthly					83.50	144.25	207.00	207.00	207.00
	One Way						5.25	9.00	9.00	9.00
	R/T						10.25	14.25	14.25	14.25
TRI-VALLEY	20 Ride						79.00	112.50	112.50	112.50
	Monthly	Treatment of		I I I I			144.25	207.00	207.00	207.00
<b>Market</b>	One Way				West Trees			5.25	5.25	5.25
Bally on	R/T			A STORY				10.25	10.25	10.25
FMT	20 Ride				Region 1			79.00	79.00	79.00
	Monthly							144.25	144.25	144.25

Proposed ACE Regular Fares

5.25%	ó	Lathrop	Tracy	Vasco	Livermore	Pleasanton	Fremont	G. America	Santa Clara	San Jose
NAME OF BRIDE	One Way	4.75	6.90	10.00	10.00	10.00	11,50	14.50	14.50	14.50
-	R/T	6.00	11.50	15.75	15,75	15.75	20.75	25.75	25.75	25.75
SKT	20 Ride	49.25	87.75	124.00	124.00	124.00	160.75	198.25	198.25	198.25
	Monthly	91.75	159.00	228.00	228.00	228.00	295.00	364.00	364.00	864.00
<b>州水</b> 岛市	One Way	HAT SHEET	5 6 7 1	9.50	9 50	9.50	11.00	13.50		
	R/T	2.00	11.00	15.00	15.00	15,00	19.00	24.50	24.50	74.50
	20 Ride		83.25	118.50	118.50	118.50	1/153.75	189.50	189.50	189.50
	Monthly		152:00	218.00	218,00	218.00	282,75	349 00	349.00	149.00
	One Way			5.75	5.75	5.75	9.50	11.00	11.00	11.00
TOC	R/T			11.00	11.00	11.00	15.00	19.00	19.00	19.00
TRC	20 Ride	Market State		83.25	83.25	83.25	118.50	153.75	153.75	153.75
	Monthly	SCULP !		152.00	152.00	152.00	218.00	282.75	282.75	282.75
CRU LE	One Way		Tio kill		4.25	4.25	5.75	9.50	9.50	9.50
TRI-VALLEY	R/T		THE RESERVE		5.75	5.75	11.00	15.00	15.00	15.00
IKI-VALLE	20 Ride		TELEVISION OF		47.50	47.50	83.25	118.50	118.50	118.50
	Monthly				88.00	88.00	152.00	218.00	218.00	218.00
	One Way					4.25	5.75	9.50	9.50	9.50
TRI-VALLEY	R/T					5.75	11.00	15.00	15.00	15.00 118.50
INFVALLE	20 Ride			0.000		47.50	83,25	118.50	118.50	218.00
	Monthly					88.00	152.00	218.00	218.00	9.50
W-/20 V	One Way				IIIV.		5.75	9.50	9.50	15.00
TRI-VALLEY	R/T	NYZ XII	ALC: U				11.00	15.00	15.00	
I KI-VALLE	20 Ride		H DANSE				83.25	118.50	118.50	118.50 218.00
The name of	Monthly					D COUNTY	152.00	218.00	218.00	S.75
	One Way		District State of the		hear and		September 1984	5.75	5.75	11.00
PMT	R/T	NESHELV.	Galling Carl	SCHOOL STREET	#15 (Ca)		USES TAT	11.00	11.00 83.25	83.25
	20 Ride	ALCOHOL:					Marine State	83.25		152.00
	Monthly		March III			A STATE OF		152.00	152.00	4.25
	ONE WAY								4.25	5.75
GAC	ROUND TRI	Р	N. Harris					Part Sales	5.75	
	20 RIDE			On the same				The same of	47.50	47.50
	MONTHLY	THE WAY		BEACH.	No. of Street,		ACCIONATION OF	Real Day	88.00	88.00
	ONE WAY	160,747,75		088		W. T. LEWIS	RECORD ST	CO COL	Barrier W.	4.25
scc	ROUND TRI	P			U. S. C. S. C.	ناجلك وال		Bu wett		5.75
	20 RIDE		2	PARELLE .				1000	No.	47.50
	MONTHLY	STUS-ON					The Carting of the Ca		for sales	88.00



Date: April 28, 2016
Current Meeting: May 5, 2016
Board Meeting: May 5, 2016

#### **BOARD MEMORANDUM**

**TO:** Santa Clara Valley Transportation Authority

**Board of Directors** 

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

**FROM:** Chief Operating Officer, Inez Evans

**SUBJECT:** Non-Revenue Vehicle Procurement

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

## **ACTION ITEM**

## **RECOMMENDATION:**

Authorize the General Manager to procure up to 70 Non-Revenue Vehicles (NRVs) in the amount up to \$2,124,800 using the State of California purchasing contract or local authorized dealers for this procurement.

## **BACKGROUND:**

VTA operates a fleet of Non-Revenue Vehicles (NRVs) in support of its transit, construction, highways, and support programs. These vehicles are assigned to support Protective Services; Bus and Light Rail vehicle maintenance activities; Right of Way and Facilities Maintenance; Construction Inspection; Silicon Valley Rapid Transit (SVRT); Technology; Revenue Collection; Field Supervision; and Operator Field Relief, among others. The current active NRV fleet includes 267 vehicles.

#### **DISCUSSION:**

During the last two budget cycles, a total of \$1,934,800 in VTA Transit Fund Capital procurement projects was approved to replace the NRVs that had reached the end of their useful life. These vehicles have become older, have accumulated more miles, and have become increasingly costly to repair. In fact, 10 of these vehicles have been decommissioned due to major mechanical malfunctions, which were considered too costly to repair considering the age and overall condition of the vehicles. Consequently, it has become increasingly difficult to provide adequate field transit, security and maintenance support. Along with the NRVs designated for replacement in the approved VTA Transit Fund Capital procurement projects, there are also several SVRT-dedicated NRVs that must be replaced. These vehicles will be

procured using Measure A SVRT funds.

VTA typically uses the State of California vehicle procurement contract for non-revenue vehicles. The State contract provides for a competitive purchasing environment with statewide competition, while ensuring all federal and state grant requirements are addressed. Utilizing the state contract enables VTA to purchase a wide variety of vehicles at the best possible price. However, VTA will utilize local dealers when this proves to be a more fiscally responsible option for the purchase of NRVs. In most cases, the current State of California procurement contract is more cost effective than procuring vehicles from local dealerships.

At this time, VTA is proposing to purchase up to 63 vehicles from the VTA Transit Fund Capital Budget. This includes up to ten operator relief vans; four ramp-equipped accessibility-vans for field supervision; up to 15 hybrid electric sedans for Protective Services and Operations; up to 16 light and medium duty cargo vans for Maintenance Operations; six compact sport utility vehicles and up to 12 light and medium duty trucks. The exact mix of vehicles purchased may vary due to ever changing operational commitments and vehicle conditions.

The SVRT/BART program office has requested the purchase of seven non-revenue support vehicles to facilitate staff and dignitary transportation between the Milpitas construction office, the VTA administrative offices, and the construction sites in San Jose. The seven vehicles requested include three passenger sedans, two small sport utility vehicles, one 12 passenger van, and one large sport utility vehicle. The funds, up to the amount of \$190,000, for these vehicles will come from the 2000 Measure A Transit Improvement Program Fund.

## **ALTERNATIVES:**

The VTA Board may decide not to purchase the 70 vehicles, or direct staff to use a different procurement method. However, doing so will reduce service safety, quality and reliability due to operating an increasingly older vehicle fleet. The VTA Board may also direct an alternate procurement method; however, using an alternate procurement method is not likely to result in lower prices.

#### **SBE/DBE REQUIREMENTS:**

Based on review of the scope, no Disadvantaged Business Enterprise (DBE) goal has been set.

#### **FISCAL IMPACT:**

This action will authorize up to \$2,124,800 to procure up to 70 Non-Revenue Vehicles (NRVs). Appropriation for this expenditure is included in the FY16 Adopted VTA Transit Fund and 2000 Measure A Transit Improvement Program Fund Capital Budgets.

## STANDING COMMITTEE DISCUSSION/RECOMMENDATION:

The Administration & Finance Committee did not consider this item due to the cancellation of its April 21, 2016 meeting.

Prepared by: Jesse Soto

Memo No. 5308



Date: May 4, 2016 Current Meeting: May 5, 2016 Board Meeting: May 5, 2016

#### **BOARD MEMORANDUM**

**TO:** Santa Clara Valley Transportation Authority

**Board of Directors** 

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

**FROM:** Chief Operating Officer, Inez Evans

**SUBJECT:** Competitive Negotiation for Low Floor Battery Electric Bus Procurement

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

## ACTION ITEM TGUQNWKQP"

#### **RECOMMENDATION:**

Adopt a Resolution upon a two-thirds vote of the Board of Directors finding that a competitive sealed bid process does not constitute a method of procurement adequate for VTA's bus procurement needs and directing the use of competitive negotiation for the purchase of five low-floor battery electric buses up to 43 foot in length along with associated in yard charging systems, infrastructure requirements and with an option for up to 25 additional battery electric buses, their associated charging systems and infrastructure requirements for VTA's service. This would be done in accordance with Public Contract Code Sections 20216 and 20217.

Authorize the necessary funding to procure the electric buses and charging facilities.

#### **BACKGROUND:**

The California Air Resources Board (CARB) has long been a leading agency in the field of vehicle air pollution regulation. In 2014 CARB began working under renewed state-wide emissions reduction goals to update the suspended 2008 Zero Emissions Bus (ZEB) purchase mandate. This project is being pursued by CARB in order to meet greenhouse gas reduction goals under AB 32. It is expected that an updated ZEB purchase mandate will be put into place by the end of 2016 as a part of the Advanced Clean Transit rule making process. This mandate will include provisions to transition all transit buses in the state to ZEBs at some future date.

VTA worked to comply with the original ZEB mandate and associated bus fleet emission rules by operating three hydrogen fuel cell ZEBs. This pilot program faced many challenges surrounding both the cost and complexity of the fuel cell system. The program showed that, at that time (2004-2009) fuel cell bus technology was not commercially viable. Despite the limited

success but impracticality of operating these fuel cell vehicles, VTA strives to operate an environmentally friendly transit fleet. VTA has been committed to purchasing and operating advanced technology hybrid diesel electric buses since 2009.

To build on VTA's commitment to operating an environmentally friendly transit fleet and to prepare for anticipated CARB mandates, VTA proposes purchasing and deploying zero emissions battery electric buses. The first step is to purchase five battery electric buses and the appropriate charging stations. This will allow VTA to fully evaluate the latest iteration of this technology.

On March 3, 2016, the Board adopted a resolution and Certifications & Assurances for VTA's 2016 Low Carbon Transportation and Operations Program (LCTOP) to provide partial funding for the VTA Zero Emissions Electric Bus project. The March 3, 2016 action also augmented the capital budget project. The projected funding sources for 5 electric buses and infrastructure are as follows:

2016 Revenue-Based LCTOP funds 2016 Population-Based LCTOP funds 2015 LCTOP funds (from North First Street LRT project) FTA Low/No Emission Vehicle Grant\* VTA Local Funding

\*Subsequent to the March Board, FTA's notification has indicated that VTA's Low/No Emission Vehicle Grant application for the initial 5 buses was not funded. VTA will use local funds to supplement the LCTOP funds for the purchase of these 5 buses.

FTA grants for Low/No Emission buses and associated infrastructure appear to give preference where partnerships with bus manufacturers are in place. The option for the additional electric buses provides VTA with such a partnership once a contract is in place. The option in the contract affords VTA the following additional benefits:

Provides for a higher potential to receive grant funding as a partnership would be in place.

Reduces the time to purchase and receive delivery of the buses.

Provides for a more standardized and effective bus fleet.

Provides for a more standardized maintenance program.

To that point, the FTA has recently announced a second round of Low/No Emission Vehicle Grant availability. VTA will be applying for these Grant funds for the purchase of 5 more electric buses including all the required charging infrastructure associated with such buses. The purchase of these vehicles would be subject to receiving the Low/No Emissions Grant funding and would utilize local funds to subsidize the cost difference.

The normal length of a standard bus is 40 feet. The American Public Transportation Association's (APTA) current bus procurement guidelines allow certain tolerance in length variance for buses. For a 40-foot length bus, the tolerance level allowed is between 40 feet and 45 feet and 11 inches, bumper to bumper. Accordingly, bus manufacturers are now building buses that exceed 40 feet in length to accommodate the passenger seating as well as equipment for the mobility impaired. California Vehicle Code Section 35400 allows buses up to 45 feet to

operate on most State freeways. Local agencies having jurisdiction over roadways may allow buses exceeding 40 feet to operate on local streets and roads. A Request for Proposal for buses up to 43 feet in length allows more bus manufacturers to provide submittals thereby increasing the level of competitiveness of the bids.

#### **DISCUSSION:**

The Public Contract Code authorizes VTA to purchase buses using competitive negotiation upon a vote of two-thirds by the Board of Directors when determined that the purchase of buses through normal procedures (e.g., competitive bidding) would not be adequate for VTA's needs. VTA used a competitive negotiation process in 2009 and 2012 to procure the current fleet of 40-foot, low-floor, diesel hybrid electric buses from Gillig, and the Bus Rapid Transit 60-foot articulated buses from New Flyer, and in 1998 to procure the current fleet of Kinkisharyo low-floor light rail vehicles. These procurements resulted in high quality products, while still maintaining competitive prices.

Purchasing Zero Emissions Buses (ZEBs) ahead of the pending mandate is directly in line with VTA's environmental goals. On a per-mile basis a battery electric bus is expected to have a 40% reduction in greenhouse gas emissions over VTA's newest hybrid electric diesel bus. In addition to "greening" the VTA fleet, their early purchase will give VTA staff critical firsthand experience with vehicles that will need to be integrated into VTA's bus fleet in the next five years.

With VTA's goal for an environmentally friendly transit fleet, the purchase of battery electric buses is a logical progression for VTA. The latest model of hybrid diesel electric buses purchased by VTA uses a series powertrain configuration which is in essence a battery electric bus with a diesel generator. Advances in battery technology have increased their energy carrying capacity. This makes it possible for several transit bus manufactures to offer battery electric vehicles with enough drivable range for transit use.

VTA recognizes that even the best battery electric bus does not have sufficient range for operation on all VTA service routes. Other transit agencies have addressed this range limitation with the installation of in-route charging systems. These systems are capable of charging battery electric buses periodically during the day to extend their service range. Present in-route charging systems are either conductive or inductive systems. The conductive system applies an overhead fast charging system while the inductive system is an in ground system that provides a slower charge. For the initial fleet purchase VTA would like to avoid the added cost and complexity of such systems by using slow conductive charging systems at the maintenance facilities. Slow conductive charging systems are less expensive and easier to install since they are simpler in design and do not need to be placed in publicly accessible areas. For future buses, VTA would be including in-route charging.

Despite range restrictions battery electric buses are being operated by several transit agencies in the state. These buses have shown high levels of service reliability, are significantly lower in cost than fuel cell ZEBs, and are expected to run in regular service without the need for a major overhaul for six years. Some manufacturers are offering battery warranties past the seven year mark. Unlike VTA's fuel cell fleet, the battery electric buses are expected to be in active service for at least 12 years.

In the case of procuring a specialized product, there are significant differences in what manufacturers are able to offer, and factors in addition to price are important considerations. The process followed in a competitive negotiation enables VTA to help ensure the best value for the investment. The competitive negotiation process is a multi-step process that includes consideration of fitness of purpose, manufacturer's warranty, performance reliability, life cycle costs, and support logistics, in addition to price.

Upon receipt and review of the initial proposals, VTA will meet with each responding vehicle manufacturer to refine, clarify, and negotiate initial elements. Vehicle manufacturers will then submit their "best and final" offers. VTA staff will review all offers and present the VTA Board of Directors with their recommendation for contract award.

The process enables VTA to consider not just price, but performance and other essential elements, ensuring a product that is the best match to VTA's transportation needs.

## **ALTERNATIVES:**

These buses could be competitively bid. However, as discussed above, competitive bidding is not recommended.

The Board can pursue the purchase of another type of ZEB, such as hydrogen fuel cell. VTA's past experience and current technology status show this ZEB pathway is less cost effective than battery electric options.

The Board also has the option of not purchasing any battery electric buses. In this situation, VTA would continue with its existing fleet replacement plan, buying diesel electric hybrids. This would be done with the expectation that once CARB ZEB purchase requirements are established VTA would begin integrating ZEBs into the bus fleet.

#### **FISCAL IMPACT:**

The use of a competitive negotiation may result in a higher initial cost, given that other factors in addition to price are considered as part of the vendor selection process. However, using a competitive negotiation does not facilitate receiving the best value for the investment.

## DISADVANTAGED BUSINESS ENTERPRISE (DBE) PARTICIPATION:

DBE will follow the FTA requirements for the purchase of buses.

#### STANDING COMMITTEE DISCUSSION/RECOMMENDATION:

The Administration & Finance Committee did not consider this item due to the cancellation of its April 21, 2016 meeting.

Prepared by: Christian Reif Memo No. 5513

#### ATTACHMENTS:

• Electric Bus Resolution (PDF)

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RESOLUTION OF THE SANTA CLARA VALLEY
TRANSPORTATION AUTHORITY BOARD OF DIRECTORS
DIRECTING THE PURCHASE OF FIVE, FORTY-THREE FOOT LOW-FLOOR
BATTERY ELECTRIC BUSES WITH ASSOCIATED IN YARD CHARGING
SYSTEMS, WITH AN OPTION TO PURCHASE UP TO AN ADDITIONAL TWENTYFIVE ELECTRIC BUSES, BY COMPETITIVE NEGOTIATION

WHEREAS, pursuant to Sections 20216 and 20217 of the Public Contract Code, the Board of Directors of the Santa Clara Valley Transportation Authority (VTA) may direct the purchase of buses by competitive negotiation upon a finding by two-thirds vote of all members of the Board that the purchase of those products or materials by otherwise applicable contracting provisions does not constitute a method of procurement adequate for VTA's needs;

WHEREAS, VTA desires to purchase up to five new forty-three foot battery electric buses with associated in yard charging systems, with an option to purchase up to twenty-five additional electric buses, and to obtain the best value for the investment in such vehicles, various factors must be considered and refined in the procurement process, including fitness of purpose, manufacturer's warranty, performance reliability, lifecycle costs, and support logistics;

WHEREAS, the purchase of such low-floor battery electric buses under competitive bidding procedures would not permit adequate consideration of the above-referenced factors;

NOW, THEREFORE BE IT RESOLVED, by the Board of Directors of the Santa Clara Valley Transportation Authority, that the purchase of up to five forty-three foot, low-floor battery electric buses, with an option for up to twenty-five additional electric buses, in compliance with the provisions in the Public Contract Code generally applicable to such purchase does not constitute a method of procurement adequate to VTA's needs, and the purchase of such buses by competitive negotiation is hereby directed.

PASSED AND ADOPTED by the Board of Directors of the Santa Clara Valley Transportation Authority on May 5, 2016 by the following vote:

AYES:	
NOES:	
ABSENT:	
	Cindy Chavez, Chairperson Board of Directors
Elaine Baltao, Board Secretary	
APPROVED AS TO FORM:	
Robert Fabela, General Counsel	



Date: April 28, 2016
Current Meeting: May 5, 2016
Board Meeting: May 5, 2016

#### **BOARD MEMORANDUM**

**TO:** Santa Clara Valley Transportation Authority

**Board of Directors** 

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

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

**SUBJECT:** Eco Pass Program Services

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

## **ACTION ITEM**

## **RECOMMENDATION:**

Authorize the General Manager to execute a sole source contract for a not-to-exceed amount of \$1,256,500 with IBI Group for Eco Pass program services including program administration over a period of up to five years, development of program management tools, and preparation of analysis and recommendations for effective program management and program restructuring.

#### **BACKGROUND:**

VTA's Eco Pass program began as a pilot program with employers in 1996 and was formally incorporated into the VTA fare structure in 1997. Since then, the program has expanded to include educational institutions and residential communities. In 2003, the Board established that "Fees for Eco Pass or similar programs shall be established so that the average revenue per boarding approximates the average revenue per boarding for all other Adult riders." VTA's average fare per boarding including Youth and Senior/Disabled/Medicare patrons is \$0.89 and the average fare per Adult boarding excluding Youth and Senior/Disabled/Medicare patrons is \$1.45.

Originally based on annual stickers affixed to photo ID cards, the Eco Pass program was fully transitioned to Clipper® electronic fare cards in 2014 and 2015. As of VTA's most recent completed fiscal year, Eco Pass generated 10.4% of system fare revenues and accounted for approximately 22% of all VTA transit system boardings. Average Eco Pass program revenue per boarding was \$0.41 - less than half the revenue per boarding for VTA overall and less than one-third the Board established standard. This has had a detrimental impact on VTA's farebox recovery ratio which continues to be one of the lowest in the country.

#### **DISCUSSION:**

Through a competitive process in 2015 (in which VTA participated), IBI Group was selected to be the lead consultant to the Metropolitan Transportation Commission (MTC) and the Bay Area transit operators for planning the next generation Clipper® system. With this ongoing role, IBI Group will have in-depth knowledge of the Clipper® system design and operational characteristics and will be in a unique position to work with VTA, MTC, and the Clipper® system operator (Cubic Transportation Systems) for management and enhancement of the Eco Pass program. Leveraging this expertise, IBI will be able to assist VTA in restructuring the Eco Pass program in a manner consistent with the pending next generation Clipper® system because they will be the system designers and will have responsibility for system implementation oversight. In these roles, IBI Group will enable VTA to take every advantage possible with respect to Clipper® system considerations for the Eco Pass program design.

VTA staff plans to make changes to the Eco Pass program to improve the average revenue per boarding. Some of the changes anticipated include streamlining program delivery, strengthening controls, reducing operating costs and restructuring program parameters including pricing and tiers. The previously completed transition from paper stickers to Clipper® presents unique opportunities for greatly improved data and analysis of the program, but has also introduced new technical issues and control vulnerabilities. Appearance of Eco Pass cards for sale on internet sites such as Craigslist has been an ongoing concern.

To achieve VTA's objectives for Eco Pass, a scope of work for IBI was developed including development of program management tools and preparation of analysis and recommendations for program restructuring. Additionally, it is proposed that IBI provide annual Eco Pass program administration services including participant enrollment, card base management, customer service, and reporting over a period of up to five years. Schedule and costs for these activities are shown in the table below:

	Program Administration	Develop Program Management Tools	Program Analysis & Recommendations	Total
Year 1	\$219,300	\$146,600	\$46,100	\$412,000
Year 2	\$206,400	-	-	\$206,400
Year 3	\$206,400	-	-	\$206,400
Year 4 (option)	\$212,700	-	-	\$212,700
Year 5 (option)	\$219,000	-	-	\$219,000
			Total	\$1,256,500

#### **ALTERNATIVES:**

The Board could reject the recommendation and direct staff to perform a competitive Request for Proposal procurement process. However this path could lead to recommendations for Eco Pass restructuring that would ultimately not be supportable by the Clipper® system. There is also a risk of disruption of service to existing Eco Pass customers (contracting institutions, and their

employees, students, or members) and potential loss of associated revenues if administrative support and new management tools are not provided on a timely basis.

#### **FISCAL IMPACT:**

This action will authorize up to \$1,256,500 for Eco Pass program administration services, program management tools, and a comprehensive program analysis and restructuring study. Appropriation for costs to be incurred through June 30, 2017 is available in the FY 17 Adopted VTA Transit Fund Operating Budget. Appropriation for the remainder of the contract will be included in subsequent Biennial Operating Budgets.

## STANDING COMMITTEE DISCUSSION/RECOMMENDATION:

The Administration & Finance Committee did not consider this item due to the cancellation of its April 21, 2016 meeting.

Prepared by: David Sausjord, Fare Programs & Systems Manager Memo No. 5541

#### ATTACHMENTS:

• Attachment A (PDF)

# Attachment A Eco Pass Program Services

## List of Contractor(s)

Firm Name	Name	Role	Location
IBI Group	Scott Stewart	Chief Executive	55 St. Clair Avenue West, 7th Floor
		Officer	Toronto, ON M4V 2Y7
IBI Group	David Thom	President	55 St. Clair Avenue West, 7th Floor
			Toronto, ON M4V 2Y7
IBI Group	Paul Lavallee	Director	801 Second Avenue, Suite 1400
			Seattle WA 98104-1573
IBI Group	Jeremy Siviter	Associate Director	1505 Prince Street - Suite 200
			Alexandria VA, VA 22314-2874



Date: April 28, 2016
Current Meeting: May 5, 2016
Board Meeting: May 5, 2016

#### **BOARD MEMORANDUM**

**TO:** Santa Clara Valley Transportation Authority

**Board of Directors** 

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

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

**SUBJECT:** Approval of Terms and Conditions for Cerone Joint Development Request for

Qualifications (RFQ)

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

#### **ACTION ITEM**

## **RECOMMENDATION:**

Approve the terms and conditions for the forthcoming Cerone Request for Qualifications (RFQ), pursuant to VTA's Joint Development Policy, in order to authorize staff to issue the RFQ document.

#### **BACKGROUND:**

Staff proposes to issue a RFQ for a Joint Development opportunity at Cerone Division, located on Zanker Road and SR-237 in North San Jose, CA. Staff has determined that approximately 40 acres of the western portion of the property is suitable for joint development as high-density office, R&D, retail, and other commercial uses consistent with the City of San Jose's General Plan land use designations for the site. In October 2015, staff presented to the Board a general development concept for a potential RFP. Since then, staff has worked to identify issues that would have to be addressed in a joint development project, including relocation of parking and ancillary uses outside the boundaries of the bus yard facility.

The purpose of the RFQ is to solicit submittals of developer capabilities and expertise that can be used to identify a "short list" of approximately three to five developers with the capacity and capability to create the type of joint development envisioned by VTA. By identifying a short-list of pre-qualified developers, Staff expects a more robust competition in the RFP round that will result in the most advantageous possible joint development proposals for VTA.

After staff has reviewed the submitted qualifications, a recommended short-list will be forwarded to the Board for approval, along with the proposed terms and conditions for the

Request for Proposals (RFP) document. Once the Board has approved the short-list and the terms and conditions of the RFP, the selected developers will be sent the RFP document and invited to submit a detailed development proposal for the Cerone Development Site.

## **DISCUSSION:**

The terms and conditions in the proposed RFQ include a range of information to be submitted to allow evaluation of developer capabilities and expertise. The RFQ terms and conditions described below are grouped into three categories: submittal requirements, selection criteria and evaluation criteria.

#### I. Submittal Requirements

## A. Developer/JV Team

Proposals must identify and describe the development entity, including any joint venture team members, with which VTA could be contracting, including the percentage interests of the entity partners and their respective capital commitments to the entity, as well as the experience of the entity. This item will focus on built projects to generate information on development entity capability.

## **B.** Development Concept with Massing Sketch

The development concept narrative would describe the assessment of market potential, site and area characteristics, applicable City of San Jose General Plan land use designation and zoning, and how these inform potential overall design and vision for the development, including the proposed development program and the types, heights, and locations of buildings. This information will be used to refine the terms and conditions of the RFP, as well as to assess how well the developer's approach to the project corresponds to VTA's objectives.

#### C. Financial Capacity

Developers must submit evidence of financial wherewithal, and successful prior experience financing large-scale mixed-use projects similar to what is envisioned for the Cerone Development Site. Such evidence must include, at a minimum, the following:

- Credit reports and financial statements for the past four years of each principal partner/participant of the proposed developer entity;
- Evidence of liquid assets sufficient to fund all predevelopment costs and equity requirements for a prospective construction lender;
- Demonstration of successful financial capacity and financing expertise to successfully fund pre-development, construction, and long-term ownership of major mixed-use developments similar to the development concept for the Cerone Development Site; and
- Description of current relationships with lenders and equity sources and the <u>current</u> ability to obtain necessary financing for the development, including recent history in obtaining

financing commitments for projects similar in scale and development program to what is envisioned for the Cerone Development Site.

## **D.** Representations

Developers must identify in their submittal whether they, any individual team members, and/or any joint venture partners, are currently involved in any litigation or subject to judgments arising out of previous litigation, and/or are currently in default of any contractual requirements. For any such items, full details must be provided.

#### **II. Selection Criteria**

Submittals must satisfy the following criteria in order to be deemed eligible for further consideration:

- a. A minimum of five years' experience in residential and commercial real estate development, with at least one completed and fully leased project similar to the development concept for the Cerone Development Site;
- b. Evidence of sufficient financial capacity for a project at the scale envisioned by VTA for the Cerone Development Site, as supported by credit reports and financial statements for the past four years of each principal partner/participant of the proposed developer entity;
- c. Evidence of liquid assets sufficient to fund all preconstruction costs and equity requirements of the prospective construction lender; and
- d. Description of current relationships with lenders and ability to obtain necessary financing for the development, including recent history in obtaining financing commitments

## III. Evaluation Criteria

The following criteria will be utilized by an evaluation panel to identify those submittals that, in its collective opinion, represents those Developers with the best overall capacity and experience to pursue the joint development. The weighting for each criterion listed below is provided to illustrate its relative importance to VTA.

## a. Developer Team Capabilities, Qualifications, and Experience:

50%

- Experience in developing projects of comparable size, land use, visibility and expense, especially for projects located in Silicon Valley.
- Experience in securing entitlements for projects of comparable size, land use and visibility, including experience in organizing successful community participation and support, especially for projects located in Silicon Valley or similar California markets.
- Experience of Developer's team members and key personnel.

## **b.** Narrative Development Concept:

25%

- Appropriateness of the Developer's strategy and approach for formulating its development concept.
- The reasonableness and viability of the Developer's proposed development concept for achievement of the VTA's objectives.
- The consideration that the described development concept gives to ensuring appropriate separation of the proposed development from VTA's bus operations at the Cerone Division as well as the interim and permanent viability of those bus operations in a situation where the proposed development comes to fruition.

#### c. Financial Capacity:

25%

- The Developer's ability to finance the proposed project.
- The Developer's overall financial track record.

#### **FISCAL IMPACT:**

There is no fiscal impact associated with the recommendation. It only authorizes staff to obtain information on the capabilities and expertise of potential developers for a joint development project at the Cerone Development Site.

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

The Administration & Finance Committee did not consider this item due to the cancellation of its April 21, 2016 meeting.

Prepared by: Jennifer Rocci

Memo No. 5545



Date: April 5, 2016
Current Meeting: May 5, 2016
Board Meeting: May 5, 2016

#### **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 February 2016

#### 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 Plan's Investment Policy.

## **DISCUSSION:**

#### **Economic Watch**

Real gross domestic product (GDP) increased at an annual rate of 1.4% in the fourth quarter of 2015 according to the "third" estimate released by the Bureau of Economic Analysis. The expansion was the result of positive contributions from personal consumption expenditures, residential fixed investment and federal government spending that were partly offset by negative contribution from exports, nonresidential fixed investment, state and local government spending, and private inventory investment.

Headline consumer prices, as measured by the consumer price index (CPI), rose 1.0% year over year as of February 2016. Core CPI, which excludes volatile food and energy prices increased at a rate of 2.3% year over year as of February 2016, its largest 12-month increase since May 2012. The Federal Reserve continues to target an inflation rate of 2.00%.

The unemployment rate in the San Jose-Sunnyvale-Santa Clara MSA was 3.9% in February 2016, unchanged from a revised 3.9% in January 2016, and below the year-ago estimate of 4.6%. This compares with an unadjusted unemployment rate of 5.7% for California and 5.2% for the nation during the same period.

#### Market Watch

The S&P 500 Index returned -0.13% in February 2016. Large cap stocks returned -0.04% and small cap stocks returned -0.01%. Within the large cap space, growth stocks underperformed value stocks, returning -0.05% and -0.03% respectively. The top-performing sectors were materials and processing, producer durables, and utilities. The worst-performing sectors were financial services, technology, and energy.

The Barclays Aggregate index returned 0.71% in February 2016. At the end of February, the yield on the benchmark 10-year Treasury was 1.74%, down from 1.92% at the end of January. For the month of February treasuries returned 0.89% and government related securities returned 0.79%. Investment grade corporate debt returned 0.81%.

In global markets, the European 10-year government bond yield ended the month at 0.11% compared to 0.33% at the end of January. The Japanese 10-year government bond was -0.06%.

#### **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 underperformed its policy benchmark by 0.06% in the current month, and by 0.20% calendar year-to-date. The current yield for the Payden long-term portfolio is 1.53%, the mid-term portfolio is 1.01%, and the short-term portfolio is 0.67%. The current yield for funds invested in LAIF is 0.47% and VTA's checking accounts is 0.23%.

Market performance for each Payden & Rygel account is summarized in the following table:

Investment Perfor	mance as of Februa	ary 2016				]			
Asset Class	Fund Manager	Feb	3 Mo	Y-T-D	1 Yr	3 Yr	5 Yr	10 Yr	I-T-D
Long-Term Fixed	Payden & Rygel	0.42%	1.59%	1.76%	2.32%	1.51%	2.57%	3.87%	4.29%
Income									
Barclays Cap US G	ovt. Intermediate	0.49%	1.89%	2.09%	2.56%	1.49%	2.44%	3.90%	4.26%
Index									
Mid-Term Fixed	Payden & Rygel	0.05%	0.40%	0.46%	0.92%	0.80%	1.02%	-	1.43%
Income 1									
Merrill Lynch 1 to 3	3 Year Treasury	0.12%	0.64%	0.73%	0.98%	0.72%	0.83%	-	1.08%
Index									
Short-Term	Payden & Rygel	0.02%	0.17%	0.16%	0.43%	0.39%	0.43%	1.68%	1.74%
Fixed Income <sup>2</sup>									
iMoneynet Money N	Aarket Index	0.02%	0.05%	0.04%	0.05%	0.02%	0.04%	1.22%	1.27%
Composite Portfol	io Returns	0.13%	0.63%	0.70%	1.15%	0.85%	1.51%	2.73%	3.58%
Policy Benchmark I	Returns	0.19%	0.81%	0.90%	1.16%	0.72%	1.29%	2.54%	3.44%

<sup>&</sup>lt;sup>1</sup> Implemented February 11, 2009

<sup>&</sup>lt;sup>2</sup> Implemented February 14, 2003

## VTA Retirees' Other Post-Employment Benefits (OPEB) Trust

The VTA Retirees' OPEB Trust Investment Policy requires the following asset allocation:

Asset Allocation	Range	<u>Target</u>	<u>Actual</u>
Domestic Fixed Income	15-30%	26%	26%
Domestic Large Cap Index	35-70%	54%	54%
Private Real Estate	6-16%	11%	12%
Absolute Return	0-15%	8%	8%
Cash	0-03%	1%	0%

The Retirees' OPEB composite portfolio underperformed its policy benchmark by 0.06% in the current month, and by 0.98 calendar year-to-date. The current yield for the fixed income portfolio is 4.69%.

Market performance for each money manager is summarized in the following table:

Investment Perfor	mance as of Febru	ary 2016							
Asset Class	Fund Manager	Feb	3 Mo	Y-T-D	1 Yr	3 Yr	5 Yr	10 Yr	I-T-D
Large Cap Index	State Street	-0.12%	-6.54%	-5.05%	-6.13%	10.73%	10.10%	6.46%	3.95%
S&P 500 Index	•	-0.13%	-6.58%	-5.08%	-6.17%	10.77%	10.14%	6.44%	3.82%
				_			_		
Fixed Income	Dodge & Cox	0.37%	-0.35%	0.50%	-0.84%	2.05%	3.57%	5.26%	5.87%
Barclays Cap US A	ggregate Bond	0.71%	1.77%	2.10%	1.53%	2.22%	3.61%	4.70%	5.45%
Index									
US Core Real	UBS 10								
Estate									
NCREIF NFI-ODC	E								
Absolute Return	Lighthouse 9		1						
HFRI FoF Index									
41 1 A D 4	CI D · I 9		1	-1	1				
Absolute Return	Sky Bridge <sup>9</sup>								
HFRI FoF Index									
Composite Portfol	io Returns	0.05%	-4.44%	-3.19%	-4.17%	7.43%	7.73%	6.64%	6.07%
Policy Benchmark I	Returns	0.11%	-3.14%	-2.21%	-2.89%	6.33%	6.89%	5.81%	4.96%

<sup>&</sup>lt;sup>9</sup>Funded January 28, 2016

DODGE & COX - The Fixed Income portfolio manager underperformed its benchmark in February 2016 by 0.34% and calendar year to date by 1.60%. The main detractors from relative performance were the portfolio's shorter relative duration, and the portfolio's overweight to the financial institutions sub-sector. The portfolio's nominal yield advantage contributed to returns.

<sup>&</sup>lt;sup>10</sup> Funded January 4, 2016

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:

Year	Performance	Year	Performance
2010	12.5%	2013	18.9%
2011	4.0%	2014	10.8%
2012	12.4%	2015	1.1%

## 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:

Asset Allocation	<u>Range</u>	<u>Target</u>	<u>Actual</u>
Domestic Fixed Income	20-35%	27%	25%
Domestic Large-Cap Value	12-22%	15%	15%
Domestic Large-Cap Index	7-17%	10%	10%
Domestic Small-Cap Value	5-15%	10%	10%
Int'l Equity Developed Markets	10-20%	13%	13%
Int'l Equity Emerging Markets US	0-10%	5%	5%
Core Real Estate	5-15%	10%	12%
Absolute Return	4-14%	9%	10%
Cash	0-5%	1%	0%

The SCVTA-ATU Pension Plan composite portfolio underperformed its policy benchmark in February 2016 by 0.03% but outperformed its policy benchmark calendar year-to-date by 0.01%. The current yield of the Dodge & Cox Fixed Income portfolio is 4.47%.

Market performance for each money manager is summarized in the following table:

Asset Class	Fund Manager	Feb	3 Mo	Y-T-D	1 Yr	3 Yr	5 Yr	10 Yr	I-T-D
Fixed Income	Dodge & Cox	0.29%	-0.16%	0.59%	-0.68%	2.09%	3.64%	5.31%	6.17%
Barclays Cap U	S Aggregate Bond	0.71	1.77%	2.10%	1.53%	2.22%	3.61%	4.70%	5.03%
Index	00 0								
			<b>.</b>	l .	11	-U			· L
Large-Cap	<b>Boston Partners</b>	0.21%	-8.85%	-6.36%	-11.86%	8.37%	9.45%	7.04%	8.56%
Value Stocks									
Russell 1000 Va	lue Index	-0.03%	-7.24%	-5.20%	-9.42%	8.26%	8.81%	5.04%	5.91%
Large-Cap	State Street	-0.12%	-6.54%	-5.05%	-6.13%	10.73%	10.10%	6.46%	5.84%
Index S&P 500 Index		-0.13%	-6.58%	-5.08%	-6.17%	10.77%	10.14%	6.44%	5.74%
		1	1	ı	1	1	ı	1	1
Small-Cap Value Stocks	Wedge <sup>4</sup>	0.69%	-10.73%	-4.10%	-8.39%	8.70%	8.66%	5.13%	9.22%
Russell 2000 Va	lue Index	0.68%	-11.03%	-6.09%	-13.35%	4.36%	5.27%	4.08%	8.33%
		•	•			•	*	•	
Int'l Equity	MFS <sup>5</sup>	-1.29%	-7.06%	-5.09%	-9.57%	0.77%	2.81%	-	1.66%
Dev. Markets									
Growth									
MSCI AC World	l ex-US Growth Index	-1.26%	-8.55%	-7.35%	-13.62%	-0.28%	0.20%	-	-1.44%
US Core Real	UBS 6		3.02%	12.94%	12.94%	11.68%	11.68%	-	12.32%
Estate									
NCREIF NFI-O	DCE		3.34%	15.00%	15.00%	13.82%	13.67%	-	14.45%
Absolute Retur	n Lighthouse 9								
FoFs									
HFRI FoF Index	ζ								
Absolute Retur FoFs	n Sky Bridge <sup>9</sup>								
HFRI FoF Index	7								
III KI I OF HIGE	1	1			1	1		1	
Emerging	ROBECO E. M. <sup>7</sup>	-0.13%	-10.86%	-7.94%	-24.17%	-9.38%	-5.85%		-5.01%
Market	1 1 1	0.160/	0.7107	6.6207	22.4007	0.0107	5.4107		4.5007
MCSI World Em	nerging Market	-0.16%	-8.71%	-6.63%	-23.40%	-8.91%	-5.41%		-4.58%
Composito Dom	tfolio Returns <sup>8</sup>	-0.01%	-4.62%	-2.81%	-4.73%	5.56%	6.59%	6.76%	7.74%
Composite Por Policy Benchma		0.02%	-4.62% -3.97%	-2.81% -2.82%	-4.73% -4.93%	4.77%	5.68%	4.93%	5.47%
roнсу <b>в</b> епспта	rк кеturns	0.02%	-3.9/%	-2.02%	-4.95%	4.//%	2.08%	4.95%	3.4/%

Funded April 1, 2009. Prior manager was Brandywine with the same benchmark.

Funded April 1, 2009. First inlanger was braindywhie with the same benchmark.

Funded December 14, 2007. Prior managers were Putnam and Fidelity with MSCI EAFE as their benchmark.

Initially funded July 1, 2010. UBS Realty Investors LLC with NCREIF NFI-ODCE as their benchmark. Report 45 days after quarter ended.

Initially funded December 1, 2010

<sup>&</sup>lt;sup>8</sup> Investment performances by prior managers are included in composite returns and historical policy benchmark returns.

<sup>9</sup> Funded January 28, 2016

DODGE & COX - The Fixed Income portfolio manager underperformed its benchmark in February 2016 by 0.42% and calendar year-to-date by 1.51%. The main detractors from relative performance were the portfolio's shorter relative duration, and the portfolio's overweight to the financial institutions sub-sector. These factors were partially offset by the portfolio's nominal yield advantage.

BOSTON PARTNERS - The Domestic Large Cap Value Equity manager outperformed its policy benchmark in February 2016 by 0.24%, but underperformed its policy benchmark calendar year-to-date by 1.16%. Stock selection in the finance sector, and an overweight position in the basic industries sector both contributed positively to relative returns.

WEDGE - The Domestic Small Cap Value Equity manager outperformed its policy benchmark in February 2016 by 0.01% and calendar year-to-date by 1.99%. An underweight position to the financial sector contributed positively to the portfolio's relative outperformance.

MFS - The International Equity manager underperformed its policy benchmark in February 2016 by 0.03% but outperformed its policy benchmark calendar year-to-date by 2.26%. Stock selection in financial services sectors detracted from relative performance.

ROBECO - The Emerging Markets Equity manager outperformed its policy benchmark in February 2016 by 0.03% but underperformed its policy benchmark calendar year-to-date by 1.31%. The fund performed in line with the benchmark for the month driven by positive stock selection.

A 7.25% 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 7.25% assumed rate of return 7 out of 14 years.

Historic Portfolio Performance (calendar year) for the last six calendar years:

Year	Performance	Year	Performance
2010	14.0%	2013	16.5%
2011	1.7%	2014	7.2%
2012	14.5%	2015	0.5%

#### 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.

Asset Allocation	<u>Range</u>	<u>Target</u>	<u>Actual</u>
Domestic Fixed Income	30-50%	38%	38%
Domestic Large Cap Index	50-70%	60%	60%
Cash	0-5%	2%	2%

The ATU Spousal Medical Trust Fund composite portfolio underperformed its policy benchmark in the current month by 0.23% and calendar year-to-date by 0.86%. The current yield for the fixed income portfolio is 4.47%

Market performance for each money manager is summarized in the following table:

Investment Perfo	ormance as of Februa	ry 2016							
Asset Class	Fund Manager	Feb	3 Mo	Y-T-D	1 Yr	3 Yr	5 Yr	10 Yr	I-T-D
Fixed Income	Dodge & Cox	0.15%	-0.76%	0.07%	-1.53%	1.70%	3.38%	5.00%	4.69%
Barclays Cap US	Aggregate Bond Index	0.71%	1.77%	2.10%	1.53%	2.22%	3.61%	4.70%	4.43%
Large-Cap	State Street	-0.12%	-6.54%	-5.05%	-6.13%	10.73%	10.10%	6.46%	7.22%
Index									
S&P 500 Index		-0.13%	-6.58%	-5.08%	-6.17%	10.77%	10.14%	6.44%	7.21%
			•	•		•	•	•	•
Composite Portfo	olio Returns	-0.02%	-4.34%	-3.08%	-4.14%	7.59%	7.91%	6.71%	6.87%
Policy Benchmark Returns		0.21%	-3.28%	-2.22%	-2.97%	7.44%	7.66%	6.04%	6.35%

DODGE & COX - The Fixed Income portfolio manager underperformed its benchmark in February 2016 by 0.56% and calendar year-to-date by 2.03%. The main detractors from relative performance were the portfolio's shorter relative duration, and the portfolio's overweight to the financial institutions sub-sector. These factors were partially offset by the portfolio's nominal yield advantage.

#### **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 August 31, 2016.

Prepared By: Sean Bill, Investment Program Manager

Memo No. 5347

### VTA INVESTMENT COMPOSITE PORTFOLIO PERFORMANCE.

# PER GENERAL LEDGER BALANCE - SETTLEMENT DATE FOR THE MONTH OF FEBRUARY 2016

SUMMARY: FEBRUARY 29, 2016	(1) <u>Jan-16</u>	Feb-16	Fiscal 16 Year-to-Date	Fiscal 16 Year-to-Date	Change for the Month
<u>Description</u>	Book Value /Cost	Book Value /Cost	<u>Jan 2016</u> Earnings - \$	Feb 16 Realized Earnings - \$	<u>Realized</u> <u>Earnings - \$</u>
VTA FUNDS	<u> 10031</u>	<u> 10031</u>	<u>Lamings - y</u>	<u>Lamings - y</u>	<u>Lamings - ψ</u>
1 - Fixed Income - Long-Term Investment Pool	253,504,151	254,541,568	2,133,001	2,582,552	449,551
2 - Fixed Income - Mid-Term Investment Pool	604,434,026	605,563,355	2,314,271	2,945,319	631,048
3 - Fixed Income - Short-Term Investment Pool	236,721,130	236,924,476	553,762	694,007	140,245
4 - Fixed Income - Collateral	1,688,869	1,688,954	166	264	98
5 - VTA Bond Funds with Fiscal Agent (2)	86,598,125	102,177,143	55,047	61,105	6,058
6 - Funds with LAIF Investment Pool	50,000,000	57,000,000	85,561	98,017	12,456
7 - Funds with Union Bank-Congestion Management	12,809,401	13,415,735	5,516	5,626	110
8 - Funds with Union Bank-Measure B	3,310,378	2,579,724	4,115	4,137	22
9 - Funds with Union Bank Pooled DDA account	53,126,180	19,779,678	5,748	11,919	6,171
Total VTA Funds	1,302,192,260	1,293,670,633	5,157,187	6,402,946	1,245,759
RETIREES' OPEB FUNDS					
1 - Retirees' OPEB -Fixed Income	60 004 004	70 244 746	2 774 620	2 020 064	265 244
2 - Retirees' OPEB -State Street - Index	69,821,291 70,802,619	70,344,716 70,802,619	2,774,620 19,115,540	3,039,864	265,244 0
3 - Retirees' OPEB -US Core Real Estate - UBS	30,000,000	30,000,000	19,115,540	19,115,540 0	0
4 - Retirees' OPEB -Sky Bridge Capital	11,000,000	11,000,000	0	0	0
5 - Retirees' OPEB -Lighthouse Partners	11,000,000	11,000,000	0	0	0
Total Retirees' OPEB Funds	192,623,910	193,147,335	21,890,160	22,155,404	265,244
	,,.	,,	,,	,,,,,,,,	
ATU PENSION FUNDS					
1 - VTA/ATU Pension Fund -Fixed Income	114,441,729	116,598,627	4,612,006	5,093,721	481,715
2 - VTA/ATU Pension Fund -Stock Large Cap Value - BOSTON	64,911,397	64,147,461	3,200,537	3,369,174	168,637
3 - VTA/ATU Pension Fund -State Street - Index	18,782,135	18,782,135	6,797,571	7,746,079	948,508
4 - VTA/ATU Pension Fund -Stock Small Cap Value - WEDGE	43,500,638	43,840,203	2,759,696	2,903,829	144,133
5 - VTA/ATU Pension Fund -Int'l - Equity Growth - MFS	47,574,856	47,574,856	484,695	727,260	242,565
6 - VTA/ATU Pension Fund -Emerging Markets - ROBECO	28,500,000	28,500,000	0	0	0
7 - VTA/ATU Pension Fund -US Core Real Estate - UBS	35,000,000	35,000,000	0	0	0
8 - VTA/ATU Pension Fund -Sky Bridge Capital	22,000,000	22,000,000	0	0	0
9 - VTA/ATU Pension Fund -Lighthouse Partners	22,000,000	22,000,000	0	0	0
Total ATU Pension Funds	396,710,755	398,443,282	17,854,505	19,840,063	1,985,558
ATU SPOUSAL MEDICAL PLAN FUNDS					
1 - ATU Spousal Med Fund -Dodge & Cox - Index	5,927,234	5,927,234	0	0	0
2 - ATU Spousal Med Fund -Dodge & Cox - Index	5,927,234 7,607,187	5,927,234 7,607,187	0	0	0
Total ATU Spousal Plan Funds	13,534,421	13,534,421	0	0	0
	. 0,00 .,42 !	.0,00 ., .21	· ·	v	v
Total Investments	1,905,061,346	1,898,795,671	44,901,852	48,398,413	3,496,561

Legend:

(2) Bonds Reserves and/or Debt Service Funds

<sup>(1)</sup> Total includes contributions / withdrawals made during current month.

### VTA INVESTMENT COMPOSITE PORTFOLIO PERFORMANCE

# MONEY MANAGERS' TOTAL MARKET RETURN - TRADE DATE FOR THE MONTH OF FEBRUARY 2016

SUMMARY: February 29, 2016	Total Market Valu	е	Feb Total Market	t Return	Total Market Return	
_	(1)				<u>VTA</u>	Benchmark
	<u>Prior</u>	Current	\$Unrealized	%Unrealized	<u>Calendar</u>	<u>Calendar</u>
<u>Description</u>	<u>Month</u>	<u>Month</u>	Gain/Loss	Gain/Loss	YTD	<u>YTD</u>
1 - Fixed Income Long-Term Investment Pool	256,399,636	257,487,499	1,087,863	0.42%	1.76%	2.09%
1 - Fixed Income Mid-Term Investment Pool	606,289,843	606,601,085	311,242	0.05%	0.46%	0.73%
2 - Fixed Income Short-Term Investment Pool	236,892,633	236,947,881	55,248	0.02%	0.16%	0.04%
3 - Fixed Income Collateral Investment Pool (2)	1,688,897	1,688,954				
4 - VTA Bond Funds with Fiscal Agents	86,598,125	102,177,143				
5 - Funds with LAIF Investment Pool	65,000,000	57,000,000				
6 - Funds with Union Bank-Congestion Management	12,772,668	13,415,735				
7 - Funds with Union Bank-Measure B	2,590,280	2,579,724				
8 - Funds with Union Bank DDA account	15,878,262	19,779,678				
Total VTA Funds	1,284,110,344	1,297,677,699				
1 - Retirees' OPEB - Fixed Income	70,090,248	70,344,634	254,386	0.37%	0.50%	2.10%
2 - Retirees' OPEB - State Street - Index	138,635,429	138,473,739	(161,690)	-0.12%	-5.05%	-5.08%
3 - Retirees' OPEB - US Core Real Estate (3)	30,000,000	30,000,000	(101,000)			515575
4 - Retirees' OPEB - Sky Bridge	11,000,000	11,000,000				
5 - Retirees' OPEB - Lighthouse	11,000,000	11,000,000				
Total Retirees' OPEB Funds	260,725,677	260,818,373				
1 - VTA/ATU Pension Fund-Fixed Income	116,055,296	116,368,618	313,322	0.29%	0.59%	2.10%
2 - VTA/ATU Pension Fund-Stock Large Cap Value	68,905,967	69,048,400	142,433	0.21%	-6.36%	-5.20%
3 - VTA/ATU Pension Fund-State Street - Index	46,851,656	46,785,716	(65,940)	-0.12%	-5.05%	-5.08%
4 - VTA/ATU Pension Fund-Stock Small Cap Value	47,382,481	47,707,545	325,064	0.69%	-4.10%	-6.09%
5 - VTA/ATU Pension Fund- Int'l - Equity Growth	61,361,772	60,564,533	(797,239)	-1.29%	-5.09%	-7.35%
6 - VTA/ATU Pension Fund- Emerging Markets	22,801,172	22,789,511	(11,661)	-0.13%	-7.94%	-6.63%
7 - VTA/ATU Pension Fund- US Core Real Estate (3)	55,226,268	56,738,649	, , ,			
8 - VTA/ATU Pension Fund- Sky Bridge	22,000,000	22,000,000				
9 - VTA/ATU Pension Fund- Lighthouse	22,000,000	22,000,000				
Total Pension Fund	462,584,612	464,002,972				
1 - ATU Spousal Med Fund - Dodge & Cox - Index	8,248,185	8,260,607	12,422	0.15%	0.07%	2.10%
2 - ATU Spousal Med Fund-State Street - Index	13,154,554	13,139,212	(15,342)	-0.12%	-5.05%	-5.08%
Total ATU Spousal Funds	21,402,739	21,399,819	,			
Total Investments	2,028,823,372	2,043,898,863				
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<sup>(1)</sup> Total includes contributions / withdrawals made during current month.

<sup>(2)</sup> Funded 7/23/2012 \$202,149.96 and \$2,840,114.82 on 7/15/2013; withdraw \$414,890.44 on 8/8/2014; withdraw \$944,706.75 on 8/7/2015

<sup>(3)</sup> Performance reported quarterly.



Date: April 11, 2016
Current Meeting: May 5, 2016
Board Meeting: May 5, 2016

#### **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 second year of 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 purpose of this report is to provide an update on recent developments concerning important transportation issues facing lawmakers in Sacramento.

<u>Transportation Funding Special Session:</u> Conversations, primarily in the Senate, continue to take place behind the scenes to try to figure out how to merge three separate transportation funding proposals -- SBX1-1 (Beall), AB 1591 (Frazier) and Gov. Brown's plan -- into one package that has a chance of obtaining the two-thirds majority vote needed to pass both the Assembly and Senate, and that the Governor would be willing to sign into law.

Progress over the past month appears to have been minimal. On a positive note, lawmakers appear to be coalescing around a number of key principles, including: (1) an emphasis on "fixit-first" investments for state highways and local streets/roads; (2) the need to provide some level of ongoing funding for mobility improvements in critical goods movement corridors; (3) accelerated repayment of prior-year loans that were made to the General Fund from various transportation accounts; (4) some form of a constitutional amendment to protect transportation revenues; (5) a limited exemption from the California Environmental Quality Act (CEQA) for roadway improvements occurring within existing rights-of-way; (6) an extension of existing statutory authority to utilize public-private partnerships for transportation projects; and (7)

Caltrans efficiency improvements.

However, significant areas of disagreement still remain. In particular, the Assembly and Senate Republican caucuses are holding firm in their opposition to any transportation funding package that would impose new taxes or fees. Instead, they are pushing their own measures that call for using existing revenues dedicated to other purposes for state highways and local streets/roads, including: (1) cap-and-trade auction proceeds; (2) funding for building the state's high-speed rail system; (3) vehicle weight fee revenues that are currently being transferred from the State Highway Account to the General Fund to pay general obligation bond debt service; and (4) General Fund surpluses. Moderate Democrats in both the Assembly and Senate also appear to be reluctant to vote for any tax or fee increases. Many represent competitive districts and are expected to face GOP challengers in their re-election bids this year.

<u>Variable Gas Tax:</u> The variable gas tax continues to cause problems for transportation funding. The variable gas tax is a product of the complex transportation funding swap that was enacted by the Legislature in 2010-2011. Under the swap, the state's share of the sales tax on gasoline was eliminated and replaced with a variable excise tax that the Board of Equalization is required to adjust annually to ensure that the same amount of money is being generated as by the former sales tax. Revenues derived from the variable gas tax are allocated 44 percent to cities and counties for local streets and roads; 44 percent to the State Transportation Improvement Program (STIP); and 12 percent to the State Highway Operation and Protection Program (SHOPP).

Last year, the Board of Equalization, as required under current law, lowered the variable gas tax rate by 6 cents per gallon because of declining fuel prices, resulting in a loss of \$876 million in transportation funding in FY 2016. This action, which represented a 33 percent reduction, came on the heels of a 3-cent-per-gallon cut in the variable gas tax rate that the Board of Equalization implemented in FY 2015. For the upcoming fiscal year, the Board of Equalization recently announced that it will have to lower the rate by another 2.2 cents per gallon, effective July 1, 2016, which will cost transportation another \$328 million in lost revenues.

Meanwhile, the California Transportation Commission (CTC) is in the process of developing the 2016 STIP, which will cover FY 2017 through FY 2021. Currently, the variable gas tax is the only source of revenues for the STIP. The Fund Estimate for the 2016 STIP prepared by Caltrans takes into account the loss of revenues resulting from current and potentially future downward adjustments to the variable gas tax rate by the Board of Equalization. According to the Fund Estimate, there is no capacity to add any new projects to the 2016 STIP. In fact, with the reduction in funding, the STIP actually is over-programmed by \$754 million, meaning that some projects that were programmed in the 2014 STIP may have to be deleted in order to bring the 2016 STIP into balance, if the Legislature does not take steps to fix this problem as part of a transportation funding package.

SBX1-1, AB 1591 and Gov. Brown's transportation funding plan all address the volatility of the variable gas tax in the same way. They propose to: (1) end the Board of Equalization's annual adjustments; (2) convert the variable rate to a fix rate (18 cents per gallon under the Governor's plan versus 17.3 cents per gallon under SBX1-1 and AB 1591); and (3) index the rate to inflation to maintain purchasing power. Indexing would occur annually under Gov. Brown's

plan, and every three years under SBX1-1 and AB 1591. So far, this approach has not gained the support of Assembly or Senate Republicans, who consider it to be a tax increase.

Then there is SB 321 (Beall), which continues to linger on the Senate Floor. Addressing the problem in a completely different way, this bill calls for changing the methodology used by the Board of Equalization to set the rate for the variable gas tax. While SB 321 would not eliminate downward adjustments to the rate, it would substantially "smooth out" the impact of any adjustments and, thus, reduce the volatility of this revenue stream.

High-Speed Rail: The Legislature has been holding hearings on the California High-Speed Rail Authority's draft 2016 business plan to determine whether the plan aligns with its priorities. Released on February 18, 2016, the draft business plan signals a major shift in the proposed planning and construction of the state' high-speed rail project. Rather than pursuing a south-oriented Initial Operating Segment (IOS) from the city of Merced in the Central Valley through the Tehachapi Mountains to the San Fernando Valley in Los Angeles County, the High-Speed Rail Authority is now proposing a north-oriented IOS running from the Central Valley to San Jose. The authority expects construction of the so-called Silicon Valley to Central Valley line to be completed by 2024 and service to begin in 2025. The estimated cost is \$20.8 billion, and encompasses everything needed to construct the line and start revenue service, including rolling stock, maintenance facilities, stations, and all necessary rail systems. The draft business plan indicates that the Silicon Valley to Central Valley line can be completed using Proposition 1A bond revenues, federal funds already committed to the high-speed rail project, continued annual appropriations of cap-and-trade auction proceeds, and financing to be repaid with cap-and-trade money expected to be available from 2025 through 2050.

In addition, the draft business plan presents a fiscally constrained funding strategy for proceeding with an extension of the IOS to Bakersfield and to San Francisco, as well as corridor improvements between Burbank and Anaheim. Finally, the draft plan updates the capital costs and schedule for the entire Phase I of the high-speed rail system (San Francisco to Anaheim) and assumes additional funding will become available for the remainder of the Phase I system, so that it would be completed and operational by 2029. However, while the draft business plan discusses potential sources that might be able to partially pay for additional portions of Phase I, it does not include a full funding plan.

Among the issues being considered by the Legislature as it reviews the draft business plan are: (1) uncertainties regarding the funding plan for the Phase I system, such as the future availability of cap-and-trade auction proceeds and additional federal money; (2) the extent to which the Legislature concurs with the proposed refocusing of the high-speed rail project on completing a north-oriented IOS; (3) whether the Silicon Valley to Central Valley line will have stand-alone value if the rest of the project is not built; and (4) the need for more detailed information about the cost, scope and schedule of each segment that the High-Speed Rail Authority is planning to construct in order for the Legislature to more effectively monitor the project over time.

The High-Speed Rail Authority is required under current law to adopt a final 2016 business plan by May 1, 2016, following public review and comment on the draft document.

**Bus on Shoulders:** In 2013, legislation was enacted to authorize the Monterey-Salinas Transit District and the Santa Cruz Metropolitan Transit District to operate public transit buses on the shoulders of segments of the state highway system within their respective service areas, subject to the approval of Caltrans and the California Highway Patrol (CHP). AB 1746 (Stone) extends this authority to VTA and six other agencies.

Operating public transit buses on the shoulders of state highways is emerging as a low-cost strategy for enhancing the reliability of public transit by minimizing congestion-related interruptions of service, while preserving the safety and structural integrity of the highway system. It also can improve travel times for public transit relative to driving, thereby making public transit a more attractive mobility option. Numerous cities in the United States currently are utilizing the shoulders of state highways for operating public transit buses with positive results. Similarly, a recent bus-on-shoulders demonstration effort in San Diego was considered to be a success.

If enacted, AB 1746 would provide VTA and a number of other agencies in California with the opportunity to work in collaboration with Caltrans and the CHP to build on this success and determine viable options for operating their buses on the shoulders of certain segments of the state highway system to enhance public transit for the communities that they serve.

**Low Carbon Transit Operations Program:** SB 824 (Beall) puts in place more tools and flexibility to allow public transit agencies to more effectively and efficiently manage and utilize their formula shares under the Low Carbon Transit Operations Program (LCTOP) in order to maximize the reduction of greenhouse gas emissions.

LCTOP was created through the enactment of legislation in 2014 that established a framework for investing cap-and-trade dollars derived from the allowance auctions held by the California Air Resources Board (CARB). This formula-based program, which receives 5 percent of all cap-and-trade auction proceeds, provides operating and capital assistance to public transit agencies to reduce greenhouse gas emissions, improve mobility, and enhance or expand service to increase mode share. Under LCTOP, funding flows to public transit agencies according to the State Transit Assistance Program (STA) formula. If a public transit agency's service area includes disadvantaged communities, at least 50 percent of its funding must be used for projects or services that benefit those communities. Caltrans is the grant administrator for LCTOP.

Among other things, SB 824 would allow a public transit agency to: (1) "bank" its LCTOP formula share, so that it could accumulate a sufficient amount of money to use for a larger, more meritorious expenditure at a later date; (2) loan its formula share to another eligible recipient that has an expenditure that it is trying to advance, but cannot fully fund it with its own share; (3) enter into an agreement with a group of other eligible recipients to "pool" their respective formula shares into one larger pot of money that the group would share; and (4) obtain a Letter of No Prejudice (LONP), thereby allowing the agency to advance its project or service using local dollars and to be reimbursed with LCTOP funds when they become available.

In addition, SB 824 clarifies that a public transit agency may continue to use its LCTOP formula share to support new or expanded service beyond the first year in which the service is

implemented, so long as the agency can demonstrate that additional greenhouse gas emissions reductions will be realized. The bill also maximizes flexibility with regard to the types of expenditures that are eligible to be funded under LCTOP to ensure that public transit agencies are able to use their formula shares for the broadest array of projects and services that reduce greenhouse gas emissions, including the purchase of zero-emission electric buses to replace diesel buses and the installation of the necessary infrastructure to support the operation of clean vehicles. Under current law, these expenditures are not eligible for LCTOP funding, even though they reduce greenhouse gas emissions.

A second piece of legislation, AB 2090 (Alejo), allows a public transit agency to use its LCTOP formula share to support the operation of existing bus or rail service if: (1) the governing board of the agency declares a fiscal emergency; (2) the agency would otherwise be required to reduce or eliminate the service; and (3) the governing board makes a finding that the service reduction or elimination would increase greenhouse gas emissions.

Bay Area Commute Benefit Ordinance: SB 1128 (Glazer) eliminates the January 1, 2017, sunset date, and indefinitely extends provisions in current law that authorize the Bay Area Air Quality Management District (BAAQMD) and the Metropolitan Transportation Commission (MTC) to jointly adopt and implement a regional commute benefit ordinance. Under the ordinance, Bay Area employers with 50 or more workers are required to offer one of the following commute benefits: (1) exclusion of employee transit or vanpool expenses from taxable income up to the maximum amount allowed by federal law (\$255 per month in 2016); (2) employer-provided transit subsidy (or transit pass) or vanpool subsidy up to \$75 per month, with future cost-of-living adjustments; (3) free or low-cost bus, shuttle or vanpool service operated by or for the employer; or (4) an alternative employer-provided commute benefit that is at least as effective in reducing single-occupant vehicle trips as any of the other options.

According to BAAQMD and MTC, the program has resulted in the following environmental and mobility benefits during its first 12 months of operation:

- 44,000 employees switched from driving alone to an alternative mode of transportation.
- 4.3 million fewer vehicle trips occurred, reducing vehicle miles traveled by 86 million miles.
- 35,778 fewer tons of carbon emissions were emitted.
- 55 percent of the 3,910 employers registered with the program offered commuter benefits for the first time.

Based on these results, BAAQMD and MTC believe the program has proven itself and, therefore, the sunset date should be eliminated.

Prepared By: Kurt Evans, Government Affairs Manager Memo No. 5391

## LEGISLATIVE UPDATE MATRIX 2015 - 2016 State Legislative Session April 8, 2016

# 2016 Regular Session Calendar

DAY	JANUARY
1	Statutes signed into law in 2015 take effect.
4	Legislature reconvenes.
10	Budget must be submitted by the Governor to the Legislature on or before this date.
15	Last day for policy committees to hear and report fiscal bills introduced in their house of origin in 2015.
22	Last day for any committee to hear and report to the floor bills introduced in their house of origin in 2015.
22	Last day to submit bill requests to the Legislative Counsel's Office.
31	Last day for bills introduced in 2015 to be passed out of their house of origin.

DAY	FEBRUARY
19	Last day for new bills to be introduced.

DAY	MARCH
17	Spring Recess begins upon adjournment.
28	Legislature reconvenes from Spring Recess.

DAY	APRIL
22	Last day for policy committees to hear and report fiscal bills introduced in their house of origin in 2016.

DAY	MAY
6	Last day for policy committees to hear and report to the floor non-fiscal bills introduced in their house of origin in 2016.
27	Last day for fiscal committees to hear and report to the floor bills introduced in their house of origin in 2016.

DAY	JUNE
3	Last day for bills introduced in 2016 to be passed out of their house of origin.
15	Budget must be passed by midnight.
30	Last day for legislative measures to qualify for placement on November 8 general election ballot.

DAY	JULY
1	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.

DAY	AUGUST
1	Legislature reconvenes from Summer Recess.
12	Last day for fiscal committees to hear and report to the floor bills introduced in the other house.
19	Last day to amend bills on the Assembly and Senate floors.
31	Last day for each house to pass bills. Final Recess begins at the end of this day's session.

DAY	SEPTEMBER
30	Last day for the Governor to sign or veto bills passed by the Legislature before September 1, and in his possession on or after September 1.

DAY	DECEMBER
5	2017-2018 Regular Session convenes.

2015-2016 Legislative Update Matrix
Page 1 of 45

## **State Assembly Bills**

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 12 (Cooley) State Agency Regulations	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.	8/19/15	Senate Appropriations Committee	
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 156 (Perea) Cap-and-Trade: Disadvantaged Communities Technical Assistance Program	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.	8/18/15	Senate Appropriations Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 318 (Chau) Lost Items Found on Public Transit Property	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, 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 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 donate an unclaim	6/11/15	Senate Judiciary Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
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 516 (Mullin) Temporary License Plates	No later than January 1, 2018, requires the Department of Motor Vehicles to develop and implement an operational system that allows a vehicle dealer or lessor-retailer to electronically report the sale of a vehicle and provide a temporary license plate. Requires the dealer or lessor-retailer to attach a temporary license plate at the point of sale. Allows a vehicle to operate with temporary license plates until either: (1) the permanent license plates and registration card are received by the vehicle owner; or (2) 90 days have lapsed from the vehicle's selling date. Allows a vehicle to continue to display a report-of-sale form or temporary license plates after 90 days if the owner has not yet received the permanent license plates, and provides proof that he or she has submitted an application to the DMV. Requires the DMV to assess a fee for the recording of notices of delinquent parking and toll evasion violations given to the department by a processing agency that is sufficient to provide a total amount equal to at least its actual costs related to administering the electronic report-of-sale and temporary license plate system. Beginning January 1, 2018, authorizes vehicle dealers to raise their document processing fees by \$10. In addition, allows vehicle dealers to impose an electronic filing charge for reporting vehicle sales and producing temporary license plates. Specifies that it is a felony for a person to alter, forge, counterfeit, or falsify a temporary license plate.	7/16/15	Senate Floor	Support

State Assembly Bills	Subject	Last Amended	Status	VTA Position
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.	7/9/15	Senate Appropriations Committee	
AB 620 (R. Hernandez) LA Metro Express Lanes: Low-Income Assistance Program	Requires the Los Angeles County Metropolitan Transportation Authority (LA Metro) to take additional steps to increase enrollment and participation in its existing low-income assistance program related to its I-10 and I-110 express lanes. In this regard, requires LA Metro to improve the awareness of the program through advertising, and by working with local community groups and social service agencies to distribute information about the program. Requires LA Metro to consider offering greater incentives to encourage participation in the program.	1/27/16	Senate Transportation & Housing Committee	
AB 645 (Williams) Electricity: California Renewables Portfolio Standard	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.	As Introduced	Senate Appropriations Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 678 (O'Donnell) Energy Efficiency and Greenhouse Gas Reductions Ports Program	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.	8/18/15	Senate Appropriations Committee	

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State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 779 (Garcia) Congestion Management Programs	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, adds the following to the list of exclusions from an	8/19/15	Senate Transportation & Housing Committee	
AB 828 (Low) Regulated Transportation Services	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.	7/14/15	Senate Energy, Utilities & Communications Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 869 (Cooper) Fare Evasion and Prohibited Conduct on Transit Vehicles	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.	6/18/15	Senate Floor	
AB 1030 (Ridley-Thomas) Cap-and-Trade: Disadvantaged Workers	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.	7/7/15	Senate Appropriations Committee	
AB 1169 (Gomez) Strategic Growth Council: Signs for Project Funding	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.	9/4/15	Senate Floor	
AB 1176 (Perea) Advanced Low- Carbon Diesel Fuels Access Program	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.	8/18/15	Senate Appropriations Committee	
AB 1360 (Ting) Transportation Network Companies: Ridesharing	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.	7/2/15	Senate Energy, Utilities & Communications Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 1364 (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.	As Introduced	Senate Transportation & Housing Committee	
AB 1549 (Wood) State Highway Rights- of-Way: Fiber-Optic Cables	Requires Caltrans to maintain an inventory of all conduits owned by the department that: (1) house fiber optic communication cables; (2) are located in state highway rights-of-way; and (3) were installed on or after January 1, 2017.	1/14/16	Senate Transportation & Housing Committee	
AB 1550 (Gomez) Greenhouse Gas Reduction Fund: Investment Plan	Requires the three-year investment plan prepared by the Department of Finance for the expenditure of cap-and-trade auction proceeds deposited in the Greenhouse Gas Reduction Fund to do the following: (1) allocate a minimum of 25 percent of available dollars in the fund to projects located within the boundaries of, and benefitting individuals living in, disadvantaged communities; and (2) allocate a minimum of 25 percent to projects that benefit low-income households, which must be separate from the minimum 25 percent required for disadvantaged communities.	3/28/16	Assembly Appropriations Committee	
AB 1555 (Gomez) Cap-and-Trade Auction Proceeds: FY 2017 Funds	For FY 2017, appropriates \$800 million in cap-and-trade auction proceeds deposited into the Greenhouse Gas Reduction Fund for the following: (1) \$290 million to the California Air Resources Board (CARB) for low carbon transportation and infrastructure programs; (2) \$10 million to CARB for active transportation and transit pass investments; (3) \$100 million to the Department of Community Services and Development, and the California Conservation Corps for weatherization and low-income solar rooftop programs; (4) \$100 million to the State Energy Resources Conservation and Development Commission, and the Department of Water Resources for equipment and other replacement programs; (5) \$10 million to the Department of Water Resources for energy efficient groundwater pump replacement grant programs; (6) \$5 million to the Department of Food and Agriculture, and \$15 million to the Department of Resources Recycling and Recovery to provide incentive programs for water diversion, biogas development and compost programs; (7) \$10 million to the Department of Food and Agriculture for on-farm energy and water efficiency programs; (8) \$100 million to the Department of Fish and Wildlife for wetland development, rehabilitation and enhancement; (9) \$85 million to the California Coastal Conservancy for wetland and watershed restoration, and carbon sequestration; (10) \$15 million to the Natural Resources Agency for local-climate-beneficial projects for urban greening, urban canopies, urban brownfield conversation, and other related projects; (12) \$10 million to the Natural Resources Agency for agricultural and rangeland carbon sequestration programs; and (13) \$25 million to the Department of Forestry and Fire Protection for urban forestry. States the intent of the Legislature to set aside and reserve \$150 million in future cap-and-trade auction proceeds for legislature priorities.	3/28/16	Assembly Natural Resources Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 1569 (Steinorth) CEQA: Exemption for Certain Transportation Projects	Exempts from the California Environmental Quality Act (CEQA) a project that consists of the inspection, maintenance, repair, rehabilitation, replacement, or removal of existing transportation infrastructure, including highways, roadways, bridges, tunnels, culverts, public transit systems, bikeways, paths and sidewalks serving bicycles or pedestrians, and the addition of auxiliary lanes or bikeways to existing transportation infrastructure, if the project meets all of the following conditions: (1) the project is located within an existing right-of-way; (2) any area surrounding the right-of-way that is to be altered as a result of construction activities that are necessary for the completion of the project will be restored to its condition before the project; and (3) the project does not add additional motor vehicle lanes, except auxiliary lanes.	3/28/16	Assembly Natural Resources Committee	
AB 1572 (Campos) School Transportation	Provides that a pupil attending a public, non-charter school that is eligible for Title 1 federal funding shall be entitled to free transportation to and from school if either of the following conditions are met: (1) the pupil resides more than one-half mile from the school; or (2) the neighborhood through which the pupil must travel to get to school is unsafe due to such factors as stray dogs, lack of sidewalks, known gang activity, presence of environmental problems and hazards, required crossings of freeways or busy intersections, or other reasons as documented by stakeholders. Requires a school district not currently providing transportation to all pupils attending schools that are eligible for Title 1 federal funding to implement a plan to ensure that all pupils entitled to free transportation pursuant to this bill receive it. Requires the plan to be developed in consultation with teachers, school administrators, regional and local transit authorities, local air districts, Caltrans, parents, pupils, and other stakeholders. Specifies that if free, dependable and timely transportation is currently not already available to pupils who are entitled to it pursuant to this bill, the school district must ensure that such pupils are provided free transportation. Allows a school district to partner with a transit authority to provide the transportation required pursuant to this bill to middle school and high school pupils if all of the following conditions are met: (1) all drivers of the transit agency are public employees; and (2) the transit agency can certify that the public transit system can ensure consistent, adequate routes and schedules to enable pupils to get home, to school and back, and does not charge the school district more than marginal cost for each transit pass. Creates the Transportation and Access to Public School Fund. Upon appropriation by the Legislature, requires revenues distributed to the Transportation and Access to Public School Fund to be allocated to local educational agencies pursuant t	4/5/16	Assembly Education Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 1591 (Frazier) Transportation Funding	Proposes to generate new revenues for transportation purposes from the following sources: (1) an increase in the gasoline excise tax of 22.5 cents per gallon; (2) an increase in the diesel excise tax of 30 cents per gallon; (3) a registration surcharge of \$38 per year imposed on all motor vehicles; and (4) a registration surcharge of \$165 per year imposed on zero-emission vehicles. Requires the repayment over the next two years of approximately \$879 million 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 the revenues derived from the 30-cent-per-gallon 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 revenues derived from the 22.5-cent-per gallon increase in the gas tax and the two vehicle registration surcharges 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; and (4) active transportation and pedestrian/bicycle safety projects in conjunction with any other allowable project. Requires 5 percent of the funds in the Road Maintenance and Rehabilitation Account to be set aside for counties that currently do not have a local transportation sales tax, but gain voter approval for one after July 1, 2016. Allocates the remaining balance in the account after the 5-percent set-aside as follows: (1) 50 percent to Caltrans for state highway maintenance, or State Highway Operation and Protection Program (SHOPP) projects; and (2) 50 percent to cities and counties for their local roadway systems. In the latter case, equally divides	As Introduced	Assembly Transportation Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 1592 (Bonilla) Contra Costa Transportation Authority: Autonomous Vehicles Pilot Project	Authorizes the Contra Costa Transportation Authority (CCTA) to conduct a pilot project for the testing of autonomous vehicles that do not have an operator, and that are not equipped with a steering wheel, a brake pedal or an accelerator, provided that the following requirements are met: (1) the testing is conducted only at a privately owned business park designated by CCTA and at the GoMentum Station located within the boundaries of the former Concord Naval Weapons Station; (2) the autonomous vehicles operate at speeds of less than 35 miles per hour; and (3) a change in ownership of the property comprising the GoMentum Station does not affect the authorization to conduct the testing.	3/28/16	Senate Rules Committee	
AB 1595 (Campos) Mass Transportation Employees: Human Trafficking Training	Requires a private or public employer that provides mass transportation services in California to train its relevant employees in recognizing the signs of human trafficking and how to report those signs to the appropriate law enforcement agency. Requires the Department of Justice to develop guidelines for this training that include all of the following: (1) the definition of human trafficking, including sex and labor trafficking; (2) myths and misconceptions about human trafficking; (3) red flags of human trafficking to be aware of, including physical and mental signs; and (4) guidance on how to report human trafficking, including national hotlines and that the person reporting may do so confidentially. By January 1, 2018, requires this training to be incorporated into the initial training process for all new employees who are likely to interact or come into contact with victims of human trafficking. Requires all existing employees who are likely to interact or come into contact with victims of human trafficking to receive this training by January 1, 2018. Exempts taxi services and airlines from the provisions of the bill.	3/29/16	Assembly Labor & Employment Committee	Support
AB 1640 (Stone) Retirement: Public Transit Employees	Clarifies that public transit employees whose interests are protected under Section 5333(b) of Title 49 of the United States Code and who became a member of a state or local public retirement system prior to December 30, 2014, are exempt from the California Public Employees' Pension Reform Act of 2013 (PEPRA).	As Introduced	Assembly Appropriations Committee	Sponsor
AB 1641 (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.	As Introduced	Assembly Transportation Committee	
AB 1661 (McCarthy) Sexual Harassment Training and Education	Requires local agency officials to receive sexual harassment training and education if the agency provides any type of compensation, salary or stipend to those officials. Defines "local agency official" to mean any member of a local agency governing board and any elected local agency official. Allows a local agency to also require any of its employees to receive such training and education. Requires each local agency official or employee who is so required to receive at least two hours of sexual harassment training and education within the first six months of taking office or commencing employment, and every two years thereafter. Requires a local agency to maintain records indicating both of the following: (1) the dates that local agency officials or employees satisfied the requirements of this bill; and (2) the entity that provided the training.	3/17/16	Assembly Floor	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 1665 (Bonilla) Contra Costa Transportation Authority: Transactions and Use Taxes	Until December 31, 2024, allows the Contra Costa Transportation Authority to impose a transactions and use tax for the support of countywide transportation programs at a rate of not more than 0.5 percent that would, in combination with all other such taxes imposed in the county, exceed the state's limit of 2 percent, subject to the following conditions: (1) the authority adopts an ordinance imposing the tax by the appropriate voting approval requirement; and (2) the ordinance is submitted to the county's electorate on a November general election ballot and is approved by the voters pursuant to Article XIII C of the California Constitution.	As Introduced	Assembly Revenue & Taxation Committee	
AB 1669 (R. Hernandez) Service Contracts: Solid Waste Collection and Transportation	Requires local agencies to give a bidding preference to any bidder on a contract for the collection and transportation of solid waste who agrees to retain employees of the prior contractor or subcontractor.	3/8/16	Assembly Local Government Committee	
AB 1707 (Linder) Written Public Records Requests	Requires a local agency's response to a written request for public records that includes a denial of the request, in whole or in part, to be in writing. Requires a local agency's written response demonstrating that the record in question is exempt under an express provision of state law to also identify the type of record withheld and the specific exemption that justifies the withholding of that type of record.	3/28/16	Assembly Judiciary Committee	
AB 1717 (Hadley) Cap-and-Trade: High- Speed Rail	Provides that if the state's high-speed rail project becomes ineligible for cap-and-trade funding from the Greenhouse Gas Reduction Fund because of the selection of an alternative initial operating segment by the California High-Speed Rail Authority that is not as described in its 2012 business plan, requires the 25 percent in cap-and-trade auction proceeds that is required to be allocated to the authority under current law to be, instead, continuously appropriated to the Transit and Intercity Rail Capital Program.	3/18/16	Assembly Transportation Committee	

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State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 1746 (Stone) Transit-Bus-Only Traffic Corridors	Allows the Santa Clara Valley Transportation Authority (VTA), the Alameda-Contra Costa Transit District (AC Transit), the Central Contra Costa Transit Authority (County Connection), the Livermore Amador Valley Transit Authority, North County Transit District, the San Diego Association of Governments (SANDAG), and the San Diego Metropolitan Transit System (MTS) to utilize the shoulders of state highways within their service areas as transit-bus-only traffic corridors, subject to the approval of Caltrans and the California Highway Patrol (CHP). Requires these agencies to determine jointly with Caltrans and the CHP which state highway segments within their service areas would be designated as transit-bus-only traffic corridors based on right-of-way availability and capacity, peak congestion hours, and the most heavily congested areas. Requires the agencies to actively work with Caltrans and the CHP to develop guidelines that ensure driver and vehicle safety, as well as the integrity of the highway infrastructure. Requires the agencies and Caltrans to monitor the state of repair of highway shoulders used as transit-bus-only traffic corridors. Requires the agencies to be responsible for all costs associated with this effort, including those costs related to repairs attributable to the operation of transit buses on highway shoulders. Two years after an agency commences the operation of public transit service on a highway shoulder, requires the agency, in conjunction with Caltrans and the CHP, to submit a report to the Legislature that includes all of the following: (1) information regarding the geographic scope of the service; (2) a copy of the guidelines agreed to by the agency, Caltrans and the CHP; (3) information about any highway modifications; (4) information regarding the costs associated with the service; and (5) performance measures used to evaluate the success of the service, such as safety, freeway operations, and public transit travel time reliability and savings. Requires the agency to post the report on	3/30/16	Assembly Floor	Sponsor
AB 1768 (Gallagher) High-Speed Rail: Bond Funding	Specifies that no further bonds shall be sold for high-speed rail purposes pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21 <sup>st</sup> 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 projects in the State Highway Operation and Protection Program (SHOPP). 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.	2/25/16	Assembly Transportation Committee	
AB 1780 (Medina) Cap-and-Trade: Trade Corridors	Requires 20 percent of the annual amount of cap-and-trade auction proceeds deposited into the Greenhouse Gas Reduction Fund to be continuously appropriated to the California Transportation Commission (CTC) to be allocated to reduce greenhouse gas emissions in trade corridors consistent with the guidelines developed by the commission for the Proposition 1B Trade Corridors Improvement Fund.	3/28/16	Assembly Appropriations Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 1813 (Frazier) California High-Speed Rail Authority: Membership	Provides for the appointment of one senator by the Senate Rules Committee and one Assemblymember by the Speaker to serve as ex-officio members of the California High-Speed Rail Authority. Specifies that the ex-officio members shall participate in the activities of the High-Speed Rail Authority to the extent that such participation is not incompatible with their positions as members of the Legislature.	As Introduced	Assembly Floor	
AB 1815 (Alejo) Cap-and-Trade: Disadvantaged Communities Technical Assistance Program	Upon an appropriation of cap-and-trade auction proceeds deposited into the Greenhouse Gas Reduction Fund, requires the California Environmental Protection Agency (CalEPA) to establish a comprehensive technical assistance program for eligible applicants assisting disadvantaged communities that the agency 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 CalEPA 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. Requires the three-year cap-and-trade investment plan developed by the Department of Finance and submitted to the Legislature to allocate money from the Greenhouse Gas Reduction Fund to CalEPA to implement the technical assistance program.	3/28/16	Assembly Appropriations Committee	
AB 1833 (Linder) Advanced Mitigation Program	Requires Caltrans to establish an Advanced Mitigation Program to accelerate project delivery and improve the outcomes of environmental mitigation for transportation infrastructure projects. Allows the program to utilize mitigation instruments, including mitigation banks and conservation easements. Allows Caltrans to use advanced mitigation credits to fulfill mitigation requirements of any environmental law for a transportation project eligible for the State Transportation Improvement Program (STIP), or the State Highway Operation and Protection Program (SHOPP).	3/16/16	Assembly Natural Resources Committee	
AB 1841 (Irwin) Office of Emergency Services: Cybersecurity	By July 1, 2017, requires the Office of Emergency Services to transmit to the Legislature the Cyber Security Annex to the State Emergency Plan, also known as Emergency Function 18 or EL 18, which must include all of the following: (1) methods for providing emergency services; (2) command structure for statewide coordinated emergency services; (3) emergency service roles of appropriate state agencies; (4) identification of resources to be mobilized; (5) public information plans; and (6) continuity of government services. By July 1, 2018, requires the Office of Emergency Services to develop a comprehensive cybersecurity strategy setting standards for state agencies to prepare for cybersecurity interference with, or the compromise or incapacitation of, critical infrastructure and the development of critical infrastructure information, and to transmit critical infrastructure information to the office. Requires each state agency to report on its compliance with these standards to the Office of Emergency Services in a manner and at a time directed by the office, but no later than January 1, 2019. Requires the Office of Emergency Services to provide suggestions to a state agency to improve its compliance with the standards.	3/28/16	Assembly Governmental Organization Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 1851 (Gray) Clean Vehicle Rebate Project	As part of the state's Clean Vehicle Rebate Project, requires the California Air Resources Board (CARB) to provide specified rebate amounts for the purchase of battery electric, fuel-cell and plugin hybrid electric vehicles. Limits these rebates to vehicles with a manufacturer's suggested retail price of \$60,000 or less. Requires CARB to issue specified rebates to a property owner or lessee for the installation of electric vehicle charging stations. Requires the rebates for clean-fuel vehicles and electric vehicle charging stations to be funded with cap-and-trade auction proceeds deposited into the Greenhouse Gas Reduction Fund, subject to annual appropriations by the Legislature. Deletes the current 85,000 cap on the number of decals, stickers or other identifiers that can be issued by the Department of Motor Vehicles (DMV) to allow plug-in hybrid electric vehicles to use high-occupancy vehicle (HOV) lanes without the required number of occupants in the vehicle.	4/4/16	Assembly Transportation Committee	
AB 1866 (Wilk) High-Speed Rail: Bonding Funding	Specifies that no further bonds shall be sold for high-speed rail purposes pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21 <sup>st</sup> 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 aquifer recharge. 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.	As Introduced	Assembly Transportation Committee	
AB 1873 (Holden) Board of Infrastructure Planning, Development and Finance	Within the Strategic Growth Council, creates a Board of Infrastructure Planning, Development and Finance. Requires the board to categorize and recommend the priority of the state's infrastructure needs and develop funding to finance those projects.	3/18/16	Assembly Accountability & Administrative Review Committee	
AB 1886 (McCarty) CEQA: Transit Priority Projects	Specifies that a transit priority project shall be considered to be within one-half mile of a major transit stop or high-quality transit corridor and, thus, shall qualify for an exemption from the California Environmental Quality Act (CEQA), if all parcels within the project have no more than 50 percent, rather than 25 percent, of their area farther than one-half mile from the stop or corridor.	As Introduced	Assembly Natural Resources Committee	

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State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 1908 (Harper) HOV Lanes in Southern California	Prohibits establishing a high-occupancy vehicle (HOV) lane on a state highway in Southern California, unless the lane is established as an HOV lane only during the hours of heavy commuter traffic, as determined by Caltrans. Requires existing HOV lanes in Southern California to be modified to conform to this provision. On or after May 1, 2018, provides that if Caltrans determines that there is an adverse impact on safety, traffic conditions or the environment by limiting the use of HOV lanes in Southern California only during the hours of heavy commuter traffic, authorizes the department to submit to the Legislature a notice of that determination and of the intent to reinstate 24-hour HOV lanes in Southern California. Provides that Caltrans may reinstate 24-hour HOV lanes following the submittal of the notice to the Legislature.	3/17/16	Assembly Transportation Committee	
AB 1910 (Harper) Transportation Advisory Ballot Measure	Requires the Secretary of State's Office to submit the following advisory question to the voters as part of the November 8, 2016, general election ballot: "Shall the California Legislature disproportionately target low-income and middle-class families with a regressive tax increase on gasoline and annual vehicle registrations to fund road maintenance and rehabilitation, rather than ending the diversion of existing transportation tax revenues for nontransportation purposes, investing surplus state revenue in transportation accounts, repaying funds borrowed from transportation accounts, prioritizing roads over high-speed rail, and eliminating waste at the Department of Transportation?"	As Introduced	Assembly Transportation Committee	
AB 1919 (Quirk) Local Transportation Authorities: Bonds	Clarifies that accrued interest received on the sale of bonds by a local transportation authority may be used either for the payment of bond debt service or for transportation purposes for which the debt was incurred.	4/4/16	Assembly Transportation Committee	
AB 1938 (Baker) Bay Area Toll Authority	Clarifies that the existing 1 percent limitation on the amount of direct contributions or loans that the Bay Area Toll Authority (BATA) may make to the Metropolitan Transportation Commission (MTC) applies to any revenues derived from bridge tolls, fees or taxes, regardless of classification.	As Introduced	Assembly Transportation Committee	
AB 1964 (Bloom) HOV Lanes: Low- Emission and Energy Efficient Vehicles	On January 1, 2018, ends the authority of the Department of Motor Vehicles (DMV) to issue decals, stickers or other identifiers allowing battery electric, hydrogen fuel cell and compressed natural gas vehicles to use high-occupancy vehicle (HOV) lanes without the required number of occupants in the vehicle. Specifies that decals, stickers or other identifiers issued for these vehicles before January 1, 2018, are valid until January 1, 2019. Provides that decals, stickers or other identifiers allowing plug-in hybrid electric vehicles to use HOV lanes without the required number of occupants in the vehicle issued by the DMV prior to January 1, 2018, are valid until January 1, 2019. Provides that decals, stickers or other identifiers issued to plug-in hybrid electric vehicles after January 1, 2018, and prior to January 1, 2019, are valid until January 1, 2022. Beginning January 1, 2019, authorizes the DMV to issue an unlimited number of decals, stickers or other identifiers to allow HOV lane access for plug-in hybrid vehicles, which shall be valid for a three-year period.	3/28/16	Assembly Appropriations Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 1982 (Bloom) Cap-and-Trade Funding: Traffic Signal Synchronization Projects	In order to be eligible to receive cap-and-trade auction proceeds from the Greenhouse Gas Reduction Fund, requires a traffic signal synchronization project to be timed to move vehicles at an average speed of 12 to 15 miles per hour (mph).	As Introduced	Assembly Transportation Committee	
AB 2014 (Melendez) Freeway Service Patrols: Workload Study	No later than June 30, 2017, and every two years thereafter, requires the California Highway Patrol (CHP), in coordination with Caltrans, to complete a workload study to assess the resources needed to supervise existing and expanded freeway service patrols identified by regional and local agencies. Requires the study to do both of the following: (1) identify potential additional freeway mileage that could be served by new freeway service patrols, as recommended by regional and local entities; and (2) identify additional CHP resources needed to supervise those additional freeway miles. Requires the CHP and Caltrans to prepare their annual budget requests to the Legislature to accommodate the CHP's oversight of increased freeway service patrols identified in the study.	4/5/16	Assembly Transportation Committee	
AB 2030 (Mullin) SamTrans and BART: Contracting Issues	Allows the San Mateo County Transit District (SamTrans) and the Bay Area Rapid Transit District (BART) to use an informal bidding process for materials, supplies and equipment contracts, under which a minimum of three quotations are obtained from vendors, for those contracts between \$5,000 and \$150,000. In the case of SamTrans, indexes the \$5,000 threshold to inflation on an annual basis. Raises the threshold for when SamTrans and BART would be required to competitively bid construction contracts from \$10,000 to \$100,000. In the case of SamTrans, indexes the \$100,000 threshold to inflation on an annual basis.	As Introduced	Assembly Local Government Committee	
AB 2034 (Salas) Federal Environmental Review Process	Extends indefinitely the statutory authorization for Caltrans to participate in a federal program that allows states to assume the responsibilities of the Federal Highway Administration (FHWA) under the National Environmental Policy Act (NEPA). In addition, extends indefinitely provisions in existing law that authorize Caltrans to consent to the jurisdiction of the federal court's with regard to the assumption of FHWA's responsibilities under NEPA and that waive the state's Eleventh Amendment protection against NEPA-related lawsuits brought in federal court for as long as Caltrans participates in the program.	3/17/16	Assembly Appropriations Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 2049 (Melendez) High-Speed Rail: Bond Funding	Specifies that no further bonds shall be sold for high-speed rail purposes pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21 <sup>st</sup> 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) 40 percent for the State Transportation Improvement Program (STIP); (2) 40 percent for the State Highway Operation and Protection Program (SHOPP); and (3) 20 percent for the Trade Corridors Improvement Fund. 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.	As Introduced	Assembly Transportation Committee	
AB 2090 (Alejo) Low Carbon Transit Operations Program	Authorizes Low Carbon Transit Operations Program (LCTOP) funding to be expended by a public transit agency to support the operation of existing bus or rail service if all of the following occur: (1) the governing board of the public transit agency declares a fiscal emergency within 90 days prior to requesting its formula share of LCTOP funds; (2) the LCTOP funds are necessary to sustain the agency's public transit service in the fiscal year in which the money is to be spent; (3) the governing board of the public transit agency would be required to reduce or eliminate public transit service if the LCTOP funds are not received; (4) the governing board makes a finding that a reduction in, or elimination of, public transit service would increase greenhouse gas emissions because customers would choose other less-efficient modes of transportation; (5) the public transit agency does not request funds over consecutive funding years unless it has declared a fiscal emergency in each year; and (6) the public transit agency does not request funds for more than three consecutive funding years. Requires the LCTOP funds to be expended to provide public transit operating assistance that meets both of the following criteria: (1) the expenditures support current bus or rail service operating costs, which may include labor, fueling, maintenance, and other costs to operate and maintain those services; and (2) the recipient public transit agency demonstrates that each expenditure directly sustains public transit service that would otherwise be reduced or eliminated in the upcoming year if those funds were not received.	4/7/16	Assembly Transportation Committee	
AB 2094 (Obernolte) Transportation Development Act (TDA) Funding	Beginning in FY 2017, requires \$1 billion in cap-and-trade auction proceeds deposited into the Greenhouse Gas Reduction Fund to be transferred to the Retail Sales Tax Fund for allocation pursuant to the Transportation Development Act (TDA) if certain conditions are met. Provides that in each fiscal year in which this transfer occurs, requires \$1 billion in TDA funding to be redirected, as follows: (1) 50 percent to Caltrans for maintenance of the state highway system, or for projects funded through the State Highway Operation and Protection Program (SHOPP); and (2) 50 percent to cities and counties for local streets/roads.	3/18/16	Assembly Transportation Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 2100 (Calderon) 21st Century Infrastructure Act of 2016	Requires the California Public Utilities Commission (CPUC), the State Energy Resources Conservation and Development Commission, the Independent System Operator, and the California Air Resources Board (CARB) to review and evaluate their policies and plans for the expansion of 21 <sup>st</sup> century infrastructure. Requires these agencies to do all of the following: (1) develop an interagency permitting committee to institute reforms and modernize infrastructure permitting and reviews; (2) strengthen dispute resolution mechanisms to quickly resolve conflicts and ensure that interagency disputes do not delay projects that are consistent with existing state policy priorities; and (3) identify duplicative, burdensome or unnecessary requirements, permits or processes, and evaluate whether they can be minimized or eliminated in a manner that would not jeopardize safety or electrical grid reliability.	3/18/16	Assembly Natural Resources Committee	
AB 2126 (Mullin) CMGC Contracting: Caltrans	Increases the number of state highway projects for which Caltrans may use the Construction Manager/General Contractor (CMGC) method of project delivery from six to 12. For at least eight of these projects, requires Caltrans to use department employees or consultants under contract to the department to perform all design and engineering services. For all 12 projects, requires Caltrans to use department employees or consultants under contract to the department to perform all construction inspection services.	As Introduced	Assembly Transportation Committee	
AB 2170 (Frazier) Trade Corridors Improvement Fund: Federal Dollars	Requires revenues apportioned to California from the National Highway Freight Program established by the federal Fixing America's Surface Transportation (FAST) Act to be allocated by the California Transportation Commission (CTC) for projects pursuant to the process that was used for the Proposition 1B Trade Corridors Improvement Fund.	3/15/16	Assembly Appropriations Committee	
AB 2196 (Low) VTA Enabling Statutes	Makes a number of technical, non-substantive clean-up changes to the enabling statutes of the Santa Clara Valley Transportation Authority (VTA). Consistently uses "VTA" as the name of the organization throughout the enabling statutes. Uses the term "territory" to refer to VTA's area of jurisdiction. Clarifies that the representatives on the VTA Board of Directors from the cities may be either mayors or city council members. Changes references to "board of supervisors" to "board of directors" to reflect the appropriate governing board of VTA. Deletes obsolete provisions that relate to one-time events that occurred to form the Santa Clara County Transit District in the 1970s, and that occurred to implement the merger of the Transit District and the Santa Clara County Congestion Management Agency (CMA) to form VTA in the mid-1990s. Deletes obsolete provisions that have been superseded by the enactment of other state laws. Clarifies that the administrative head of VTA is a "general manager," not an "executive director." Changes references to "transit facilities" to "transit and other transportation facilities" to reflect the fact that VTA is a multi-modal transportation organization.	As Introduced	Assembly Local Government Committee	Sponsor

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 2222 (Holden) Cap-and-Trade Funding: Public Transit Passes	Creates the Transit Pass Program to be administered by Caltrans. Beginning in FY 2017, continuously appropriates \$50 million annually in cap-and-trade auction proceeds deposited into the Greenhouse Gas Reduction Fund for the program. Requires the Controller's Office, as directed by Caltrans, to allocate the available funding to support programs that provide free or reduced-fare public transit passes to public school, community college, California State University, and University of California students. Requires Caltrans, in coordination with the California Air Resources Board (CARB), to develop guidelines describing the methodologies that recipient public agencies must use to demonstrate that the proposed expenditures will reduce greenhouse gas emissions. Requires at least 50 percent of the money allocated under the Transit Pass Program to be used to benefit disadvantaged communities.	4/6/16	Assembly Transportation Committee	
AB 2233 (Brown) Highways: Exit Information Signs	Requires Caltrans to adopt rules and regulations to allow for the placement, near exits and off-ramps on freeways located in urban and rural areas, of informational signs identifying the closest hospital owned and operated by a county that includes the full name of the hospital, if both of the following conditions are met: (1) the county requests the placement of the sign; and (2) the county agrees to pay for the cost of the sign. Requires Caltrans to erect the sign or signs within 30 days of receipt of payment from the county.	As Introduced	Assembly Transportation Committee	
AB 2257 (Maienschein) Local Agency Meetings: Online Posting of Agendas	Requires an online posting of an agenda of a meeting of a local agency's legislative body to have a prominent, direct link to the current agenda itself. Requires the link to be on the local agency's Internet Web site homepage, not in a contextual menu on the homepage.	As Introduced	Assembly Local Government Committee	
AB 2289 (Frazier) SHOPP Projects	Clarifies that capital projects to improve the operation of state highways and bridges are eligible for funding under the State Highway Operation and Protection Program (SHOPP).	As Introduced	Assembly Appropriations Committee	
AB 2293 (C. Garcia) Cap-and-Trade: Green Assistance Program	Requires the California Environmental Protection Agency (CalEPA) to establish and administer the Green Assistance Program to do all of the following: (1) provide assistance, including the development of competitive project proposals, to small businesses and small non-profit organizations when they are applying for an allocation of cap-and-trade auction proceeds deposited into the Greenhouse Gas Reduction Fund; (2) assist small businesses in applying for cap-and-trade funding for energy efficiency upgrades to meet and exceed the state's greenhouse gas emissions reduction goals; (3) assist small businesses in complying with all applicable federal, state and local air quality laws; (4) identify state agencies with appropriate cap-and-trade grant programs; and (5) coordinate existing local programs to reduce greenhouse gas emissions with new programs receiving cap-and-trade funding.	3/29/16	Assembly Appropriations Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 2332 (E. Garcia) STIP and SHOPP	By January 1, 2018, requires the California Transportation Commission (CTC) to establish a process whereby Caltrans and local agencies receiving funding for highway capital improvements from the State Highway Operation and Protection Program (SHOPP), or the State Transportation Improvement Program (STIP) prioritize projects that provide meaningful benefits to the mobility and safety needs of disadvantaged communities as identified by the community through strong public participation. In order to implement this process, 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 residents in those communities; (2) include robust public stakeholder engagement on the development of guidelines relating to prioritizing projects in disadvantaged communities; (3) adopt guidelines and performance criteria for Caltrans and local agencies relative to social, economic and regional equity, and the public health impacts of highway projects funded from the SHOPP or STIP; (4) require the lead agency on each project to provide a description of how a proposed project located in a disadvantaged community provides meaningful benefits to that community; and (5) prioritize projects that recruit, hire and train low-income, formerly incarcerated or disconnected youth and adults, and other individuals with barriers to employment. Allow the CTC to withhold future allocations to Caltrans or a local agency from the SHOPP or STIP if the commission determines that the previous use of funding has not adequately furthered the objectives of this bill.	4/5/16	Assembly Transportation Committee	
AB 2348 (Levine) Retirement Plans: Infrastructure Investments	Authorizes the Department of Finance to identify infrastructure projects in the state for which the department will guarantee a rate of return for an investment made in that infrastructure project by the Public Employment Retirement System, the State Teachers' Retirement Plan, or the retirement system created pursuant to the County Retirement Law of 1937. Creates the Reinvesting in California Special Fund as a continuously appropriated fund. Requires money in the fund to be used to pay the rate of return on investments made in infrastructure projects. States the intent of the Legislature to identify special fund dollars to be transferred to the Reinvesting in California Special Fund.	As Introduced	Assembly Public Employees, Retirement & Social Security Committee	
AB 2355 (Dababneh) Intercity Rail Services: Noise Mitigation	Requires Caltrans to develop a program for the reasonable mitigation of noise and vibration levels in residential neighborhoods along railroad lines where the department contracts for state-funded intercity rail passenger service.	As Introduced	Assembly Transportation Committee	
AB 2374 (Chiu) CMGC Contracting: Local Expressways and Ramps	Clarifies that regional transportation agencies, including the Santa Clara Valley Transportation Authority (VTA), may use the Construction Manager/General Contractor (CMGC) project delivery method to design and construct projects on expressways and ramps that are not on the state highway system. Deletes provisions in current state law that require an expressway project to be developed in accordance with an expenditure plan approved by the voters in order for the regional transportation agency to be able to use CMGC contracting for that project.	As Introduced	Assembly Floor	Support

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State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 2382 (Lopez) High-Speed Rail Authority: Membership	Requires one of the Governor's appointments to the California High-Speed Rail Authority to be a person who works directly with communities in the state that are most significantly burdened by, and vulnerable to, high levels of pollution.	As Introduced	Assembly Transportation Committee	
AB 2398 (Chau) State Highways	Every five years, requires the California Transportation Commission (CTC) to report to the Legislature both of the following: (1) the number of selections, adoptions and location determinations for state highway routes; and (2) the amount of money allocated for the construction, improvement or maintenance of the various highways under the jurisdiction of Caltrans.	3/18/16	Assembly Transportation Committee	
AB 2411 (Frazier) Miscellaneous Caltrans Revenues	Prohibits revenues generated by Caltrans through the rental or sale of property, the sale of documents and other miscellaneous services to the public from being transferred to the General Fund and used for debt service on general obligation transportation bonds. Instead, requires these revenues to be retained in the State Highway Account and used for transportation purposes.	As Introduced	Assembly Appropriations Committee	
AB 2452 Quirk CEQA: Judicial Remedies	In an action or proceeding under the California Environmental Quality Act (CEQA), prohibits a court from staying or enjoining the construction or operation of a transportation infrastructure project solely on the project's potential contribution to the emissions of greenhouse gases. Defines "transportation infrastructure project" to mean a project consisting of new construction of transportation infrastructure, or the relocation, replacement or removal of existing transportation infrastructure that is included in a sustainable communities strategy.	As Introduced	Assembly Natural Resources Committee	
AB 2468 (Hadley) Public Employees' Retirement	Authorizes a public agency that has contracted with the California Public Employees' Retirement System (CalPERS) to offer an alternative formula from the one required by the Public Employees' Pension Reform Act of 2013 to be applicable to miscellaneous, non-safety employees hired after January 1, 2017, provided that the agency and the representative employee organization have agreed to its application in a valid memorandum of understanding. Specifies that the alternative formula would be 1 percent at 55.	As Introduced	Assembly Public Employees, Retirement & Social Security Committee	
AB 2542 (Gatto) Streets and Highways: Reversible Lanes	When submitting a capacity-increasing project, or a major street or highway lane realignment project to the California Transportation Commission (CTC) for approval, requires Caltrans or a regional transportation agency to demonstrate that reversible lanes were considered for the project.	3/15/16	Assembly Transportation Committee	
AB 2620 (Dababneh) Proposition 116 Passenger Rail Funding	Requires Proposition 116 funds not expended or encumbered by July 1, 2020, to be reallocated to any other existing passenger rail project in the state by the California Transportation Commission (CTC) on a pro-rata basis.	3/18/16	Assembly Transportation Committee	

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State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 2651 (Gomez) Urban Water and Transportation Environmental Revitalization Grant Program	Requires the Natural Resources Agency to establish and administer the Urban Water and Transportation Environmental Revitalization Grant Program. Requires the program to provide grants for projects that develop greenways in areas that are adjacent to an urban creek in certain areas. Appropriates \$500 million from the General Fund to the Natural Resources Agency for the program.	3/29/16	Assembly Water, Parks & Wildlife Committee	
AB 2741 (Salas) California Transportation Plan	Requires the California Transportation Plan to be approved by the California Transportation Commission (CTC).	3/18/16	Assembly Transportation Committee	
AB 2742 (Nazarian) Public-Private Partnerships	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.	As Introduced	Assembly Transportation Committee	Support
AB 2762 (Baker) Toll Bridges: Bicycles and Pedestrians	Extends the sunset date from January 1, 2021, to January 1, 2022, for provisions in current law that prohibit a toll from being imposed on the passage of a pedestrian or bicycle over any toll bridge that is part of the state highway system.	4/5/16	Assembly Transportation Committee	
AB 2796 (Bloom) Active Transportation Program	Requires a minimum of 5 percent of available funds in each of the following three distribution categories under the Active Transportation Program to be awarded for planning and community engagement for active transportation in disadvantaged communities: (1) metropolitan planning organizations (MPOs) in urban areas with populations greater than 200,000; (2) small urban and rural regions with populations of 200,000 or less; and (3) the California Transportation Commission (CTC). Requires a minimum of 10 percent of all available Active Transportation Program funds to be programmed for non-infrastructure purposes, including activities related to safe routes to school. Provides that if a project contains both infrastructure and non-infrastructure activities, only the portion of funding used for non-infrastructure activities shall contribute to meeting the minimum 10 percent. Specifies that if applications submitted in any funding cycle are not sufficient to exceed the minimum percentages required by this bill, the funds may be expended for other authorized purposes.	4/4/16	Assembly Transportation Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 2847 (Patterson) Pilot Program: Transferring State Highways to Local Agencies	Establishes a five-year pilot program under which three counties, one in Northern California, one in Southern California and one in the Central Valley, 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, 2018. 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.	4/4/16	Assembly Transportation Committee	
ACA 3 (Gallagher) Public Employees' Retirement	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 serve 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 serve 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.	As Introduced	Assembly Public Employees, Retirement & Social Security Committee	
ACA 4 (Frazier) Local Transportation Special Taxes	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.	8/17/15	Assembly Appropriations Committee	Support

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State Assembly Bills	Subject	Last Amended	Status	VTA Position
ACA 11 (Gatto) Public Utility Reform Act of 2016	Calls for placing before the voters an amendment to the California Constitution to authorize the Legislature to reallocate and reassign all or a portion of the functions of the California Public Utilities Commission (CPUC) to other state agencies, departments, boards, or others entities that it may create. Requires the Legislature's reallocation or reassignment of the CPUC's functions to be done to further consumer protection, public health, environmental protection, increased transparency, public access, and the preservation of the ability of third parties to advocate for and intervene on behalf of those who need their advocacy. Requires the Legislature to adopt appropriate structures to: (1) provide greater accountability for the public utilities of California; (2) provide the necessary guidance to focus regulatory efforts on safety, reliability and ratesetting; and (3) implement statutorily authorized programs for reducing greenhouse gas emissions	As Introduced	Assembly Utilities & Commerce Committee	
ABX1-1 (Alejo) Transportation Funding	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 & 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.	As Introduced	Assembly Desk	Support
ABX1-2 (Perea) Public-Private Partnerships	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.	As Introduced	Assembly Desk	Support
ABX1-3 (Frazier) Transportation Funding: State Highways and Local Roadways	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.	9/3/15	Conference Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
ABX1-4 (Frazier) Transportation Funding: Trade Corridors and Local Transportation Infrastructure	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.	As Introduced	Senate Rules Committee	
ABX1-6 (R. Hernandez) Cap-and-Trade: Affordable Housing and Sustainable Communities Program	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.	As Introduced	Assembly Desk	
ABX1-7 (Nazarian) Cap-and-Trade: Public Transit Funding	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.	As Introduced	Assembly Desk	Support
ABX1-8 (Chiu) Diesel Sales Tax	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).	As Introduced	Assembly Desk	Support
ABX1-9 (Levine) Richmond-San Rafael Bridge	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.	As Introduced	Assembly Desk	
ABX1-10 (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.	As Introduced	Assembly Desk	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
ABX1-12 (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.	As Introduced	Assembly Desk	
ABX1-13 (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.	As Introduced	Assembly Desk	
ABX1-14 (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.	As Introduced	Assembly Desk	
ABX1-15 (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.	As Introduced	Assembly Desk	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
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.	As Introduced	Assembly Desk	
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).	As Introduced	Assembly Desk	
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.	As Introduced	Assembly Desk	Support
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.	As Introduced	Assembly Desk	
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.	As Introduced	Assembly Desk	

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State Assembly Bills	Subject	Last Amended	Status	VTA Position
ABX1-21 (Obernolte) Environmental Quality: Highway Projects	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.	As Introduced	Assembly Desk	
ABX1-22 (Patterson) Design-Build Contracting: Highway Projects	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.	As Introduced	Assembly Desk	
ABX1-23 (E. Garcia) Transportation Projects: Disadvantaged Communities	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 underse	As Introduced	Assembly Desk	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
ABX1-24 (Levine) Bay Area Transportation Commission	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.	As Introduced	Assembly Desk	

# **State Senate Bills**

State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 3 (Leno) Minimum Wage	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.	3/11/15	Assembly Appropriations Committee	
SB 32 (Pavley) Greenhouse Gas Emissions Limit	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 th	9/10/15	Assembly Natural Resources Committee	

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State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 39 (Pavley) HOV Lanes: Low- Emission and Fuel- Efficient Vehicles	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.	4/8/15	Assembly Transportation Committee	
SB 122 (Jackson) CEQA: Record of Proceedings	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.	6/1/15	Assembly Appropriations Committee	
SB 189 (Hueso) Clean Energy and Low-Carbon Economic and Jobs Growth Blue Ribbon Committee	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.	8/17/15	Assembly Appropriations Committee	
SB 207 (Wieckowski) Greenhouse Gas Reduction Fund: State Agency Reporting	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.	3/24/15	Assembly Natural Resources Committee	

State Senate Bills	Subject	Last Amended	Status	VTA Position
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 398 (Leyva) 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.	6/2/15	Assembly Appropriations Committee	
SB 400 (Lara) 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.	6/1/15	Assembly Appropriations Committee	

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State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 433 (Berryhill) Variable Gas Tax Rate: Department of Finance	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.	5/7/15	Assembly Revenue & Taxation Committee	
SB 564 (Cannella) Traffic Violations: School Zones	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.	As Introduced	Assembly Transportation Committee	
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	

State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 824 (Beall) Low Carbon Transit Operations Program	Makes a number of changes to the structure of the Low Carbon Transit Operations Program (LCTOP). Eliminates certain restrictions in current law to maximize flexibility with regard to the types of expenditures that are eligible to be funded under LCTOP to ensure that recipient transit agencies are able to use their funding shares for the broadest array of projects and services that reduce greenhouse gas emissions. Clarifies that a recipient transit agency may continue to use its LCTOP funding share to support new or expanded service beyond the first year in which the service is implemented, so long as the agency can demonstrate that additional greenhouse gas emissions reductions will be realized. For capital projects, requires a recipient transit agency to do all of the following: (1) specify the phases of work for which the agency is seeking an allocation of funding from LCTOP; (2) identify the sources and timing of all funding required to undertake and complete any phase of a project for which the agency is seeking an allocation from the program; and (3) described intended sources and timing of funding to complete any subsequent phases of the project through construction or procurement. Allows a recipient transit agency that does not submit a project for funding in a particular fiscal year to retain its funding share, and to accumulate and utilize that funding share in a subsequent fiscal year for a larger expenditure. Requires the recipient transit agency to specify the number of years that it intends to retain its funding share and the expenditure for which the agency intends to use these dollars. Prohibits a limit being placed on the number of fiscal years that a recipient transit agency may retain its funding share. Allows a recipient transit agency, in any particular fiscal year, to loan or transfer its funding share to another recipient transit agency within the same region for any identified eligible expenditure. Allows a project to another eligible project or (2) reassign to another eligible project an	3/15/16	Senate Transportation & Housing Committee	Sponsor
SB 879 (Beall) Housing Bond Act	Declares the intent of the Legislature to enact a bill that would authorize the issuance of bonds for financing housing-related programs that would serve the homeless, as well as extremely low-income and very low-income Californians over the course of the next decade.	3/30/16	Senate Transportation & Housing Committee	
SB 882 (Hertzberg) Fare Evasion: Minors	Prohibits a public transit agency from charging a minor with an infraction or misdemeanor for acts of fare evasion.	As Introduced	Senate Public Safety Committee	
SB 885 (Wolk) Design Professionals: Claims	Commencing with contracts entered into on or after January 1, 2017, provides that a design professional shall only have the duty to defend claims that arise out of, pertain to or relate to the negligence, recklessness or willful misconduct of the design professional. Provides that a design professional shall have no duty to defend claims against other persons or entities.	As Introduced	Senate Judiciary Committee	

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State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 901 (Bates) Advanced Mitigation Program	Requires Caltrans to establish an Advanced Mitigation Program to accelerate project delivery and improve the outcomes of environmental mitigation for transportation infrastructure projects. Allows the program to utilize mitigation instruments, including mitigation banks and conservation easements. Allows Caltrans to use advanced mitigation credits to fulfill mitigation requirements of any environmental law for a transportation project eligible for the State Transportation Improvement Program (STIP), or the State Highway Operation and Protection Program (SHOPP). Beginning with FY 2017, requires Caltrans to set aside at least \$30 million per year from the annual appropriations for the STIP and the SHOPP for the planning and implementation of projects in the Advanced Mitigation Program.	As Introduced	Senate Transportation & Housing Committee	
SB 902 (Cannella) Federal Environmental Review Process	Extends indefinitely the statutory authorization for Caltrans to participate in a federal program that allows states to assume the responsibilities of the Federal Highway Administration (FHWA) under the National Environmental Policy Act (NEPA). In addition, extends indefinitely provisions in existing law that authorize Caltrans to consent to the jurisdiction of the federal court's with regard to the assumption of FHWA's responsibilities under NEPA and that waive the state's Eleventh Amendment protection against NEPA-related lawsuits brought in federal court for as long as Caltrans participates in the program.	As Introduced	Senate Transportation & Housing Committee	
SB 903 (Nguyen) Transportation Loans	Acknowledges that as of June 30, 2015, there is \$879 million in loans of certain transportation revenues still outstanding, and requires this amount to be repaid by the General Fund from the Budget Stabilization Account no later than June 30, 2016. Requires the loan repayments to be distributed as follows: (1) \$148 million to be allocated by the California Transportation Commission (CTC) to fund construction and associated support costs for projects that are programmed in the Traffic Congestion Relief Program (TCRP), but which have not received their full allocations pursuant to current law; (2) \$334 million to the Trade Corridors Improvement Fund; (3) \$265 million to the Transit and Intercity Rail Capital Program; and (4) \$132 million to the State Highway Operation and Protection Program (SHOPP).	As Introduced	Senate Transportation & Housing Committee	
SB 940 (Vidak) High-Speed Rail: Selling of Property	Prior to selling property that is no longer necessary for the state's high-speed rail project, requires the California High-Speed Rail Authority to offer the person, or his or her next of kin, from whom the property was acquired the right of first refusal to purchase the property at fair market value.	3/9/16	Senate Transportation & Housing Committee	

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State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 951 (McGuire) Golden State Patriot Passes Program	Creates the Golden State Patriot Passes Program as a pilot program to provide veterans with free access to public transit services, thereby reducing greenhouse gas emissions and increasing veteran mobility. Requires Caltrans to administer the program. For FY 2018 through FY 2021, appropriates \$3 million per year in cap-and-trade auction proceeds deposited into the Greenhouse Gas Reduction Fund for the pilot program. By January 1, 2018, requires Caltrans to select three transit operator applicants to receive funding under the pilot program. If there are sufficient applicants, requires Caltrans to do all of the following: (1) not select a transit operator applicant that is currently providing veterans with free access to public transit services; (2) select applicants that serve entirely different counties; (3) select one application that primarily serves an urban area, one that primarily serves a suburban area, and one that primarily serves a rural area. Requires a transit operator selected to participate in the pilot program to match any state money that it receives with local funds. In selecting applicants, requires Caltrans to ensure that benefits are provided under the pilot program to disadvantaged communities. Sunsets the pilot program on January 1, 2022.	3/17/16	Senate Environmental Quality Committee	
SB 998 (Wieckowski) Bus-Only Lanes: Motorist Violations	Prohibits a person from operating, parking, stopping, or leaving standing a motor vehicle in a highway or roadway lane that has been designated for the exclusive use of public transit buses.	4/6/16	Senate Transportation & Housing Committee	Co- Sponsor
SB 1051 (Hancock) AC Transit: Automated Enforcement of Parking Violations	Authorizes the Alameda-Contra Costa Transit District (AC Transit) to install automated forward-facing parking control devices on its public transit vehicles for the purpose of video imaging of parking violations occurring in transit-only traffic lanes or at bus stops.	4/6/16	Senate Transportation & Housing Committee	
SB 1066 (Beall) STIP Fund Estimate: FAST Act Apportionments	Requires the fund estimate for the State Transportation Improvement Program (STIP) prepared by Caltrans and the California Transportation Commission (CTC) to identify and include federal funds derived from apportionments made to the state under the Fixing America's Surface Transportation (FAST) Act.	As Introduced	Senate Transportation & Housing Committee	
SB 1128 (Glazer) Bay Area Regional Commute Benefit Ordinance	Eliminates the January 1, 2017, sunset date, and indefinitely extends provisions in current law that authorize the Bay Area Air Quality Management District (BAAQMD) and the Metropolitan Transportation Commission (MTC) to jointly adopt a regional commute benefit ordinance requiring certain employers to offer their employees one of three specified commute benefits. Deletes bicycle commuting as a pretax option under the ordinance and, instead, allows an employer covered by the ordinance, at its discretion, to offer commuting by bicycle as an employer-paid benefit. If the covered employer chooses to offer a subsidy to offset the monthly cost of commuting by bicycle, requires such subsidy to be either the monthly cost of commuting by bicycle or \$20, whichever is lower. Deletes provisions in current law that require BAAQMD and MTC to jointly report to the Legislature regarding the implementation of the regional commute benefit ordinance.	As Introduced	Senate Floor	

State Senate Bills	Subject	Last Amended			
SB 1141 (Moorlach) 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, may 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 that has jurisdiction in the county. Requires the California Transportation Commission (CTC) to administer and oversee the pilot program, and to select the county or counties that will participate no later than January 1, 2018, from applications received by the commission. Provides that participation of a county in the pilot program is voluntary. Specifies that if the CTC is unable to select at least one county to participate in the pilot program by January 1, 2018, because no county has submitted an application, the provisions of the bill shall become inoperative on January 15, 2018. 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 source	4/5/16	Senate Transportation & Housing Committee		
SB 1197 (Cannella) Intercity Rail Corridors: Extensions	At any time after an interagency transfer agreement for an intercity rail corridor between Caltrans and a joint powers board has been executed, allows the agreement to be amended to extend the affected rail corridor to provide intercity rail service beyond the defined boundaries of the corridor. Requires a proposed extension to be recommended and justified in the business plan for the intercity rail corridor by the joint powers board, and to be approved by the California State Transportation Agency (CalSTA).	As Introduced	Senate Transportation & Housing Committee		
SB 1259 (Runner) Toll Facilities: Veterans	Exempts vehicles occupied by a veteran and displaying a specialized veterans license plate from the payment of tolls or other charges on a toll road, high-occupancy toll (HOT) lane, toll bridge, toll highway, vehicular crossing, or any other toll facility.	As Introduced	Senate Transportation & Housing Committee		
SB 1320 (Runner) California Transportation Commission and SHOPP Projects	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. 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.	As Introduced	Senate Transportation & Housing Committee		

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State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 1397 (Huff) Highway Changeable Message Signs: Advertising	Authorizes Caltrans, subject to federal approval, to enter into an agreement pursuant to a best value competitive procurement process with a contractor to construct, upgrade, reconstruct, and operate a network of changeable message signs within the rights-of-way of the state highway system. Requires the contractor, subject to certain standards established by Caltrans, to contract and receive funds for the placement of advertising on these changeable message signs when they are not being used by the department. Requires revenues derived from advertising on these changeable message signs to be allocated between Caltrans and the contractor. Requires the revenues received by Caltrans to be deposited into the State Highway Account, subject to appropriations by the Legislature. Authorizes Caltrans to adopt guidelines and procedures relative to advertising on changeable message signs.	As Introduced	Senate Transportation & Housing Committee	
SB 1464 (De Leon) Greenhouse Gas Emissions Reduction Programs: Consultation	In addition to other states, the federal government and other nations, requires the California Air Resources Board (CARB) to consult with local agencies to identify the most effective strategies and methods to: (1) reduce greenhouse gas emissions; (2) manage greenhouse gas control programs; and (3) facilitate the development of integrated and cost-effective regional, national and international greenhouse gas emissions reduction programs.	As Introduced	Senate Environmental Quality Committee	
SCA 7 (Huff) Motor Vehicle Fees and Taxes: Restrictions on Expenditures	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.	5/28/15	Senate Transportation & Housing Committee	

State Senate Bills	Subject	Last Amended	Status	VTA Position
SBX1-1 (Beall) Transportation Funding	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 \$879 million 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, the Highway Users Tax Account (HUTA), and the Motor Vehicle Account, the Highway Users Tax Account (HUTA), and the Motor Vehicle Account, the Highway Users Tax Account (HUTA), and the Motor Vehicle Account, the General Fund Account (HUTA), and the Motor Vehicle Account, the General Fund Account (HUTA), and the Motor Vehicle Account, the Motor Vehicle Fuel Account (HUTA), and the Motor Vehicle Accounts of the California Transportation Commission (CTC). Requires 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 and protection from the five tax and fee increases, as well as the one-time revenues from the General Fund loan repayments, to be perfectly anoted from the Road Maintenance and Rehabilitation Account to be s	9/1/15	Senate Appropriations Committee	Support
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State Senate Bills	Subject	Last Amended	Status	VTA Position
SBX1-2 (Huff) Cap-and-Trade: State Highways and Local Roadways	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.	As Introduced	Senate Transportation & Infrastructure Development Committee	
SBX1-3 (Vidak) High-Speed Rail: Bond Funding	Specifies that no further bonds shall be sold for high-speed rail purposes pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 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.	8/17/15	Senate Transportation & Infrastructure Development Committee	
SBX1-4 (Beall) Transportation Funding: State Highways and Local Roadways	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.	9/4/15	Conference Committee	
SBX1-5 (Beall) Transportation Funding: Trade Corridors and Local Transportation Infrastructure	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.	As Introduced	Assembly Desk	
SBX1-6 (Runner) Cap-and-Trade: High-Speed Rail	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.	As Introduced	Senate Transportation & Infrastructure Development Committee	

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State Senate Bills	Subject	Last Amended	Status	VTA Position
SBX1-7 (Allen) Diesel Sales Tax	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.	9/3/15	Senate Appropriations Committee	Support
SBX1-8 (Hill) Cap-and-Trade: Public Transit Funding	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.	As Introduced	Senate Appropriations Committee	Support
SBX1-9 (Moorlach) Caltrans: Architectural and Engineering Services	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.	As Introduced	Senate Transportation & Infrastructure Development Committee	
SBX1-10 (Bates) State Transportation Improvement Program	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.	As Introduced	Senate Transportation & Infrastructure Development Committee	

Page 43 of 45

State Senate Bills	Subject	Last Amended	Status	VTA Position
SBX1-11 (Berryhill) CEQA: Exemption for Certain Transportation Projects	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.	9/4/15	Senate Transportation & Infrastructure Development Committee	
SBX1-12 (Runner) California Transportation Commission	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.	8/20/15	Senate Appropriations Committee	

State Senate Bills	Subject	Last Amended	Status	VTA Position
SBX1-13 (Vidak) Office of the Transportation Inspector General	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 fro	9/3/15	Senate Appropriations Committee	
SBX1-14 (Cannella) Public-Private Partnerships	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.	As Introduced	Senate Transportation & Infrastructure Development Committee	Support
SCAX1-1 (Huff) Motor Vehicle Fees and Taxes: Restrictions on Expenditures	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.	As Introduced	Senate Appropriations Committee	



Date: April 28, 2016
Current Meeting: May 5, 2016
Board Meeting: May 5, 2016

#### **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:** I-680 Corridor Study Report Update

#### FOR INFORMATION ONLY

# **BACKGROUND:**

The key objective of the I-680 corridor study was the identification of improvement projects for Santa Clara County's next iteration of its long range transportation plan. The study extends approximately 10 miles from the Alameda/Santa Clara county line between the City of Milpitas in Santa Clara County and the City of Fremont in Alameda County to the I-280/I-680/US 101 interchange in the City of San Jose. Attachment A shows the project study area.

Through a collaborative effort with local, state, and regional stakeholders, the study considered a multitude of factors in the evaluation of improvement projects. The factors were: to promote mobility and connectivity, enhance safety and security, support economic vitality and sustainability, and account for environment and community values.

The total cost for this corridor study was \$500,000 and was funded by two sources: a Caltrans Transportation Planning Grant for \$250,000 and local VTA funds for the remaining balance. In August 2013, the VTA Board of Directors approved receiving the grant funds from Caltrans.

The key milestones and schedule for the project were as follows:

Project Initiation: January 2015

Conceptual Alternatives Analysis: January - August 2015 Community/Public Outreach: August/September 2015

Final Corridor Study Report: February 2016

VTA staff, along with a wide variety of stakeholders, vetted the study and completed the study on schedule and within budget in February 2016.

#### **DISCUSSION:**

A key component of the vetting process and a requirement of the Caltrans grant involved public engagement. VTA engaged the public through a unique approach called crowdsourcing, and obtained over 400 suggestions on how the corridor could be improved. Crowdsourcing involves soliciting input from a large group through the use of a specialized website. Based on the public and local agency transportation professionals' input, the study utilized an approach to rank potential projects into tiers.

Weighting factors varied depending on the type of transportation mode. Highways, expressways and local roads were evaluated for mobility effects such as reducing congestion and delays. Bicycle and pedestrian facilities were evaluated for better access, safety and security.

The report studied and identified 28 highway projects, 27 multi-modal local street and interchange improvements, and 19 bicycle and pedestrian improvements. Below are a sample of some of the key projects recommended:

## **Near-term Improvements** (less than 15 years)

- Continue Development of the I-680 Montague Expressway Interchange
- Study Options to Improve the I-680 Capitol Expressway Interchange
- Prioritize Funding for Multi-Modal Interchange Improvements at Key Bicycle Routes
- Create a Package of Relatively Low Cost Bicycle and Pedestrian Improvements

## **Long-term Improvements** (more than 15 years)

- Promote and Expand Express Lanes on I-680
- Maintain the Opportunity for Direct Connectors between Managed Lanes at I-680 / Montague Expressway
- Develop Funding for Reconstruction of Full-Cloverleaf Interchanges

These potential improvements and recommended actions should serve to initiate improvement strategies that will serve I-680 Corridor users well in the future.

For further information, the corridor study can be found at:

http://www.vta.org/projects-and-programs/highway/i680-corridor-study

#### ADVISORY COMMITTEE DISCUSSION/RECOMMENDATION:

The Bicycle & Pedestrian Advisory Committee met as committee of the whole, and received this item as part of the consent agenda on April 13, 2016.

The Technical and Policy Advisory Committees received this item as part of the consent agenda on April 14, 2016.

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

The Congestion Management Program & Planning (CMPP) Committee met as a Committee of the Whole and received this item as part of their Consent Agenda on April 21, 2016.

Prepared By: Shanthi Ganji

Memo No. 5507

# **ATTACHMENT A**



# I-680 CORRIDOR STUDY: PROJECT STUDY AREA





Date: April 28, 2016
Current Meeting: May 5, 2016
Board Meeting: May 5, 2016

#### **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:** Caltrans-VTA 3-Year FY 2016-18 Project Initiation Document Workplan

Update

#### FOR INFORMATION ONLY

## **BACKGROUND:**

A Project Initiation Document (PID) is a technical report that documents the scope of work, viable alternatives, cost estimates and schedule for improvement projects on the State's highway system. These PIDs are used to obtain approval for inclusion of a project into a programming document to qualify for federal and state funding.

Caltrans and the Metropolitan Transportation Commission (MTC) coordinate annually with Congestion Management Agencies (CMAs) such as Santa Clara Valley Transportation Authority (VTA) to develop a plan and schedule for the development of PIDs across the region.

The purpose of this effort is to assist Caltrans with staffing allocations for project planning.

### **DISCUSSION:**

Attached to this report are three items:

- 1. A letter from Caltrans requesting VTA and its member agencies in Santa Clara County to provide a priority list of PID projects to be developed over the next three fiscal years (FYs), with a main focus on the upcoming FY 2016-17 project list. The deadline for submitting this project list to Caltrans District 4 Office of Advance Planning is April 22, 2016.
- 2. A copy of the existing 2-Year 2015-17 PID Workplan submitted to Caltrans in 2015.
- 3. A copy of the 3-Year PID Workplan for Fiscal Years 2016-17, 2017-18 and 2018-19 that has been submitted to Caltrans.

The draft FY 2016-18 PID Workplan was developed with on-going input from local agency staff. Last year, Caltrans only requested a rolling two-year workplan. This year, Caltrans modified its PID workplan to a rolling three-year plan.

The FY 2016-18 PID Workplan shows one project that will be carried over from FY 2015-16 to FY 2016-17:

• I-680/Montague Expressway Interchange Modification, San Jose

There are ten projects proposed for FY 2016-17:

- Charcot Avenue Extension over I-880, San Jose
- US 101/Blossom Hill Road Interchange Modification, San Jose
- US 101/Zanker Road/Skyport Drive/Fourth Street New Interchange, San Jose
- I-280/North Wolfe Road Interchange Modification, Cupertino
- US 101/Shoreline Boulevard Pedestrian/Bicycle Overcrossing, Mountain View
- Interim Reversible Transit Lane on Shoreline Boulevard, Mountain View
- US 101 Northbound Off-ramp/Shoreline Boulevard, Mountain View
- I-280/Winchester Boulevard Interchange Modification, San Jose
- Hwy 17 Wildlife Crossings, Los Gatos (sponsored by Midpeninsula Regional Open Space District)
- SR 87/Narvaez Avenue Northbound On-ramp, San Jose

The order of the projects listed here and in the attached spreadsheet does not indicate any prioritization. Projects in the following fiscal years are also listed here.

In past years, only a few of the projects listed on the workplans were started in the year indicated. Caltrans is requesting a more accurate list that will reflect actual project support needs. Agencies are responsible for executing Reimbursement Cooperative Agreements with Caltrans prior to starting their projects.

The attached copy of the final workplan was developed based on input from local agency project sponsors.

#### ADVISORY COMMITTEE DISCUSSION/RECOMMENDATION:

The Bicycle & Pedestrian Advisory Committee (BPAC) discussed this item at their meeting on April 13, 2016. Member Stallman commented that he was pleased to see this item on the agenda and referred to Metropolitan Transportation Commission Resolution No. 3765, a policy for accommodation of bicycle and pedestrian facilities during transportation project planning, design funding and construction that was approved on June 9, 2006. Member Chaffin inquired about the blank list of projects for Fiscal Year 2018-19.

The Technical Advisory Committee (TAC) and Policy Advisory Committee (PAC) received this item as part of the Consent Agenda at their meeting on April 14, 2016.

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

The Congestion Management Program & Planning (CMPP) Committee met as a Committee of the Whole and received this item as part of their Consent Agenda on April 21, 2016.

Prepared By: Eugene Maeda

Memo No. 5526

#### DEPARTMENT OF TRANSPORTATION

DISTRICT 4 P.O. BOX 23660 OAKLAND, CA 94623-0660 PHONE (510) 286-5900 FAX (510) 286-6301 TTY 711 www.dot.ca.gov



Serious Drought. Help save water!

March 7, 2016

Mr. John Ristow, Director Planning and Program Development Santa Clara Valley Transportation Authority (VTA) 3331 North First Street San Jose, CA 95134

Dear Mr. Ristow:

Pursuant to the guidance on using project sponsorship to determine Project Initiation Document (PID) funding forwarded to you in September 2013 and attached for your convenience, the California Department of Transportation (Caltrans) is developing a regional priority list for preparing Project Study Report-Project Development Support (PSR-PDS) documents. As a result, VTA is requested to provide a comprehensive, prioritized list of PSR-PDS's to be worked on during fiscal years 16-17, 17-18, and 18-19. To assure timely identification of PSR-PDS priorities and resource allocation, please submit your project list to Celia McCuaig, District 4 Advance Planning Office Chief, no later than April 22, 2016.

Caltrans looks forward to working with your agency to allocate available resources to meet project delivery needs throughout the region. If you have questions or need additional information regarding this matter, please contact Celia McCuaig, at (510) 286-5659.

Sincerely,

JEAN C.R. FINNEY

Deputy District Director

Transportation Planning and Local Assistance

**Enclosures** 

Using Project Sponsorship to Determine PID Funding

c: Casey Emoto, Deputy Director of Project Development, VTA Gene Gonzalo, Engineering Group Manager, VTA Eugene Maeda, Senior Transportation Planner, VTA

# **Using Project Sponsorship to Determine PID Funding**

Revised September 12, 2013

State Highway Account (SHA) funds are eligible to be used for the development of Project Initiation Documents (PIDs) for California Department of Transportation (Caltrans) sponsored projects. PID reimbursement applies to State Highway System (SHS) projects for which Caltrans is not the project sponsor. Based on existing Caltrans policy and guidance, project sponsors are defined as agencies that serve as the project advocate and secure the project funding. The project sponsor is also responsible for overall project delivery and chooses an implementing agency for each project component and is the customer of the implementing agency.

Caltrans is the sponsor for all projects funded solely from the State Highway Operation and Protection Program and most projects funded from the Interregional Transportation Improvement Program. Caltrans-sponsored projects also include projects where Caltrans is the project advocate but local entities (e.g. self-help counties, etc.) fund the projects. PlD development will be funded with SHA funds for projects that are sponsored by local agencies with county populations less than 40,000 (as identified in California Streets and Highways Code Section 2104 and Highway Users Tax Account).

PID development and oversight will be reimbursed for projects not sponsored by Caltrans and funded by local agencies with county populations more than 40,000 and private entities. Local agencies will not be required to pay the Indirect Cost Rate Proposal (ICRP) for Caltrans to develop PIDs or provide PID oversight. The ICRP is still required for private entities.

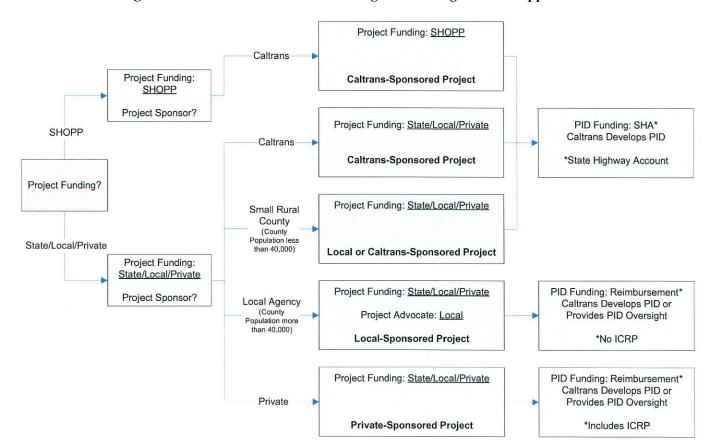


Diagram 1: Decision-Tree for Determining the Funding for PID Support Costs

# **Using Project Sponsorship to Determine PID Funding**

# **Existing Policies and Guidance**

Caltrans Deputy Directive 23-R1 on Roles and Responsibilities for Development of Projects on the State Highway System.

Project Sponsor secures funding for the project and serves as the project advocate. The project sponsor chooses an Implementing Agency for each project component and is the customer of the Implementing Agency. Caltrans is the sponsor for all projects funded solely from the State Highway Operation and Protection Program and most projects funded from the Interregional Improvement Program.

## Caltrans Project Development Procedures Manual (2-18, Section 5).

## Project sponsors:

- Identify the purpose and need for their project relative to the SHS.
- Establish project goals and evaluate project outcomes relative to the established goals.
- Serve as advocates for their projects, and secure funding from the various funding programs or other sources.
- Choose an Implementing Agency or Agencies for project components.
- Secure funding for the preparation and completion of project components as defined in Government Code (GC) 14529 (b).

# GC 65086 and 65086.4 describes Caltrans' role as the owner-operator of the SHS.

It is Caltrans' responsibility to ensure that all projects on the SHS comply with applicable state and federal standards. Caltrans may also determine that an exception to the standard is appropriate. This legislation authorizes Caltrans to establish standards, procedures, and a review process to ensure compliance.

# GC 65086.5 describes Caltrans' role with respect to the preparation, review, and approval of PIDs.

- It is Caltrans' responsibility to review and approve PIDs that are developed by others.
- It is Caltrans' responsibility to prepare guidelines for the preparation of PIDS by all entities.
- If Caltrans has the resources and the work does not jeopardize delivery, Caltrans can prepare a PID for a non-STIP capacity-increasing project for a local entity.
- If a local entity requests that Caltrans prepare a PID as a STIP candidate project, Caltrans shall have 30 days to determine whether it can complete the requested report in a timely fashion.
- If a local entity prepares the PID as a STIP candidate or local measure project, Caltrans shall have 60 days to complete the review and provide comments to the local agency. After the local entity submittal of the revised PID, Caltrans has 30 days to review and make a determination if the PID can be approved.

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Number	Executed Reimbursement	Agreement (Y/N)	Lead/QA/IQA	County	ייסמופ	Begin rostmile		Purpose & Need	Improvement Description	Location	K-Phase EA	RTP Project Number	RTP Tier 1 (Y/N)	Estimated Initiation Date (MM/DD/YYYY)	Estimated PID Completion Date (MIM/YYYY)	Capital Cost (\$M)	Support Cost (\$M)	STIP Programming Cycle(s)	PA/ED Programming Cycle(s)	Federal Funding (Y/N)	Local Funding (Measure/Other/Both/NA)	Other State Funding (Bond, CMAQ, TCRP, ARRA, Other, NA)	Type of PID	Project Sponsor	Implementing Agency	Comments
PID	PIDS FROM FY 2014/15 WORKPLAN																									
1	04-2	2421	4 S(	CL 6	30 4	.5 11.0	) Imp	prove traffic operations	Modify interchange	I-680/Montague Interchange in San Jose	4G010K	230370	Y	02/2013	06/2015	15.3	5.4	2016 2	014	TBD	Other	None	PSR-PDS	SCL County	SCL County	CARRYOVER
2	N.	Α	4 S	CL 8	30 5	.6 5.6	Imp	rove traffic operations	Extend Charcot Avenue	Charcot Ave. Extension over I-880 in San Jose	TBD	230449	Υ	03/2015	06/2016	30.0	10.6	TBD 2	016	TBD	Other	None	PSR-PDS	City of San Jose/ VTA	City of San Jose VTA	
PRO	POSED	NEW I	PIDs fo	or FY 20	15/16																					
3							) Imp	rove bicycle access	Modify interchange and improve bicycle travelway	I-280/Oregon Exwy/Page Mill Rd. in Palo Alto	4G020K	22584	Y	07/2015	06/2016	7.7	2.7	TBD 2	014	TBD	Other	None	PSR-PDS	SCL County	SCL County	
			4						AA 117		<b>T</b> DD	24705		07/2015	06/2016	22.0	0.0	<b>TDD</b> 3	04.6	<b>TDD</b>	0.1		200 200	City of San Jose/	City of San Jose	
5								·	, ,	U.S. 101/Zanker Road/Skyport Drive/Fourth St. in San Jose	TBD	21785			06/2016			TBD 2		TBD		None	PSR-PDS PSR-PDS	VTA  City of San Jose/  VTA	VTA  City of San Jose  VTA	
6	N	N	4 S	CL 10	01 8.	62 9.62	2 Imp	rove traffic operations	Modify interchange	US 101/Buena Vista Ave. in Gilroy	TBD	21702	Υ	07/2015	06/2016	31.0	10.9	TBD T	TBD	TBD	Other	None	PSR-PDS	City of Gilroy/ VTA	City of Gilroy VTA	
7	N	N	4 S	CL 1	)1 N	A NA		rove pedestrian/bicycle nection	Build new bike/pedestrian overcrossing	US 101/Shoreline Blvd. Pedestrian/Bicycle Overcrossing in Mountain View	TBD	NA	NA	07/2015	06/2016	15.0	5.5	TBD T	ГВD	TBD	TBD	TBD	PSR-PDS	City of Mountain View	City of Mountain View	
8	ТВ	BD	4 S	CL 1	)1 N	A NA	Imp	prove traffic operations	Implement new reversible transit lane	Reversible Transit Lane on Shoreline Blvd. in Mountain View	TBD	NA	NA	07/2015	06/2016	5.0	1.8	TBD T	ГВD	TBD	TBD	TBD	PSR-PDS	City of Mountain View	City of Mountain View	This project may follow PEER process
9	N	N	4 S	CL 1	01 N	A NA	Imp	rove traffic operations		US 101 Northbound Off-Ramp/Shoreline Blvd. in Mountain View	TBD	NA	NA	07/2015	06/2016	10.0	3.5	TBD T	TBD	TBD	TBD	TBD	PSR-PDS	City of Mountain View	City of Mountain View	
PRO	POSED	NEW I	PIDs fo	or FY 20	16/17	•																				
10	N	N	4 S	CL 10	01 N	A NA	Imp	rove traffic operations	Modify interchange	US 101/San Antonio Rd. Interchange/Charleston Rd. in Mountain View	TBD	240436	Υ	07/2016	06/2017	100.0	30.5	TBD 1	ГВD	TBD	TBD	TBD	PSR-PDS	City of Mountain View	City of Mountain View	
11	N	N	4 S	CL 8	30 TE	BD TBD	) Imp	rove traffic operations	Implement HOV/Express Lanes	I-880 Express Lanes: Alameda County line to US 101 in San Jose	TBD	240484	Υ	07/2016	06/2017	23.0	8.1	TBD T	ГВD	TBD	Other	None	PSR-PDS	VTA	VTA	
12	N	N	4 S	CL 10	)1 5	.5 6.5	Imp	rove traffic operations	Modify interchange	US 101 Southbound off-ramp at 10th St. in Gilroy	TBD	NA	NA	07/2016	06/2017	3.6	1.3	TBD T	ГВD	TBD	Other	None	PSR-PDS	City of Gilroy/ VTA	City of Gilroy VTA	
13	N	N	4 S	CL 8	30 6.	25 7.25	5 Imp	prove traffic operations	Modify interchange	I-880/Montague Expwy. in San Jose	TBD	230363	Y	07/2016	06/2017	14.0	4.9	TBD 1	ГВD	TBD	Other	None	PSR-PDS	City of San Jose	City of San Jose	Sponsorship transferred from Santa Clara County to San Jose

Last Revised: 1/29/2015

- 1. Project 1 (I-680 Montague/Montague Expwy. Interchange) is a carryover project from FY 2014-15 Workplan scheduled to be completed in FY 2015-16.
- 2. Project No. 2 (Charcot Ave. Extension over I-880) is anticipated to begin work before 6/2015.
- 3. Project Nos. 7-10 (Projects in Mountain View) replaces the \$22M US 101 Southbound Improvements: San Antonio Rdl/Charleston Rd. to Shoreline Blvd. Project listed in the previous FY 2014-17 Workplan.
- 4. Project No. 8 (Implement new reversible transit lane) may only need a Permit Engineering Evaluation Report (PEER) for work within Caltrans right-of-way.
- 5. Project No. 13 (I-880/Montegue Expwy.) previously sponsored by Santa Clara County has been transferred to City of San Jose.
- 6. For planning purposes, Project Study Report Project Development Support (PSR-PDS) level studies are estimated to be completed within 12 months.

Number Executed Reimbursement Agreement (Y/N)	Lead/QA/IQA	County	Route Begin Postmile	End Postmile	Purpose & Need	Improvement Description	Location	K-Phase EA	RTP Project Number	RTP Tier 1 (Y/N) Estimated Initiation Date		Estimated PID Completion Date (MM/YYYY)	Capital Cost (\$M)	Support Cost (\$M)	STIP Programming Cycle(s)	PA/ED Programming Cycle(s)	Federal Funding (Y/N)	Local Funding (Measure/Other/Both/NA)	Other State Funding (Bond, CMAQ, TCRP, ARRA, Other, NA)	Type of PID	Project Sponsor	Implementing Agency	Comments
PIDS FROM F	/ 2015/	/16 W	ORKPLAN																				
1 04-242		SCL FY 201	l	11.0	Improve traffic operations	Modify interchange	I-680/Montague Interchange in San Jose	4G010K	230370	Y 02/	2013	06/2017	15.3	5.4	2016	2014	TBD	Other	None	PSR-PDS	SCL County	SCL County	CARRYOVER
2 NA	4	SCL	880 5.6	5.6	Improve traffic operations	Extend Charcot Avenue	Charcot Ave. Extension over I-880 in San Jose	1K270	230449	Y 03/	/2015 (	07/2017	30.0	10.6	TBD	TBD	TBD	Other	None	PSR-PDS	City of San Jose	City of San Jose	This project may follow PEER process.
3 N	4	SCL	101 TBD	TBD	Improve traffic operations	Modify interchange	US 101/Blossom Hill Rd. in San Jose	1K280	21785	Y 07/	2016	07/2017	23.0	8.0	TBD	TBD	TBD	Other	None	PSR-PDS	City of San Jose	City of San Jose	
<b>4</b> 04-2898	3 4	SCL	101 38.0	40.0	Improve traffic operations	New interchange	US 101/Zanker Road/Skyport Drive/Fourth St. in San Jose	0K710	22979	Y 07/	<sup>'</sup> 2016 (	07/2017	120.0	40.0	TBD	TBD	TBD	Other	None	PSR-PDS	City of San Jose/ VTA	City of San Jose/ VTA	
F 04.2612	, 1	sci .	280 71	0.5	Improve traffic operations	Modify interchange	I-280/N. Wolf Rd. in Cupertino	1K300	NA	V 07/	/2016 (	07/2017	F3.0	13.0	TBD	TBD	TBD	Other	None	DCD DDC	City of Cuperino/ VTA	City of Cuperino/ VTA	
6 N			101 NA		Improve pedestrian/bicycle connection	Build new bike/pedestrian overcrossing	US 101/Shoreline Blvd. Pedestrian/Bicycle Overcrossing in Mountain View	TBD	NA NA			07/2017		5.5	TBD	TBD	TBD	TBD	TBD	PSR-PDS	City of Mountain View	City of Mountain View	
<b>7</b> TBD	4	SCL	101 NA	NA	Improve traffic operations	Implement new interim reversible transit lane	Interim Reversible Transit Lane on Shoreline Blvd. in Mountain View	TBD	NA	NA 07/	′2016 (	07/2017	5.0	1.8	TBD	TBD	TBD	TBD	TBD	PSR-PDS	City of Mountain View	City of Mountain View	This project may follow PEER process.
8 N	4	SCL	101 NA	NA	Improve traffic operations	Modify off-ramp	US 101 Northbound Off-Ramp/Shoreline Blvd. in Mountain View	TBD	NA	NA 07/	<sup>'</sup> 2016 (	07/2017	10.0	3.5	TBD	TBD	TBD	TBD	TBD	PSR-PDS	City of Mountain View	City of Mountain View	
9 N	4	SCL	280 NA	NA	Improve traffic operations	Modify Interchange	I-280/Winchester Boulevard in San Jose	TBD	NA	NA 07/	2016	07/2017	50.0	10.0	TBD	TBD	TBD	TBD	TBD	PSR-PDS	City of San Jose/ VTA	VTA	This project is already part of previously approved PSR.
10 N	4	SCL	17 NA	NA	Improve traversability for wildlife	Build culvert crossing(s)	Hwy 17 Wildlife Crossings in Los Gatos vicinity	TBD	NA	NA 07/	/2016 (	07/2017	5.7	2.0	TBD	TBD	TBD	TBD	TBD	PSR-PDS	Midpeninsula Regional Open Space District	Midpeninsula Regional Open Space District	New project.
				NA	Improve traffic operations	Modify on-ramp	SR 87/ Narvaez Avenue Northbound On-ramp in San Jose	TBD	NA	NA 07/	'2016 (	07/2017	NA	NA	TBD	TBD	TBD	TBD	TBD	PSR-PDS	City of San Jose	City of San Jose	New project. This project may follow PEER process.
12 04-2422				19.0	Improve bicycle access	Modify interchange and improve bicycle travelway	I-280/Oregon Exwy/Page Mill Rd. in Palo Alto	4G020K	22584	Y 07/	(2017	06/2018	7.7	2.7	TBD	2014	TBD	Other	None	PSR-PDS	SCL County	SCL County	Moved to FY 2017/18 per SCL County
13 N					Improve traffic operations	Modify interchange	US 101/San Antonio Rd. Interchange/Charleston Rd. in Mountain View	TBD	240436			06/2018		8.0	TBD	TBD	TBD	TBD	TBD	PSR-PDS	City of Mountain View	City of Mountain View	
14 N	4	SCL	880 TBD	TBD	Improve traffic operations	Implement HOV/Express Lanes	I-880 Express Lanes: Alameda County line to US 101 in San Jose	TBD	240484	Υ 07/	/ <sub>2017</sub> (	06/2018	23.0	8.1	TBD	TBD	TBD	Other	None	PSR-PDS	VTA	VTA	
																					City of Gilroy/	City of Gilroy	
15 N	4	SCL	101   5.5	6.5	Improve traffic operations	Modify interchange	US 101 Southbound off-ramp at 10th St. in Gilroy	TBD	NA	NA 08/	201/ (	оь/2018	3.6	1.3	TBD	TBD	TBD	Other	None	PSR-PDS	VTA	VTA	Sponsorship transferred
16 N	4	SCL	880 6.25	7.25	Improve traffic operations	Modify interchange	I-880/Montague Expwy. in San Jose	TBD	230363	Y 08/	2017 (	06/2018	14.0	4.9	TBD	TBD	TBD	Other	None	PSR-PDS	City of San Jose	City of San Jose	from Santa Clara County to San Jose.
17 N				9.62	Improve traffic operations	Modify interchange	US 101/Buena Vista Ave. in Gilroy	TBD	21702	Y 08/	/2017 (	06/2018	31.0	10.9	TBD	TBD	TBD	Other	None	PSR-PDS	City of Gilroy/ VTA	City of Gilroy VTA	
PROPOSED N	EW PID	s for F	FY 2018/19				There are no projects currently proposed for FY 2018/19																

#### NOTES:

- 1. Project No. 1 (I-680 Montague/Montague Expwy. Interchange) is a carryover project from FY 2014-15 Workplan scheduled to be completed in FY 2017-18.
- 2. Project No. 2 (Charcot Ave. Extension over I-880) may only need a Permit Engineering Evaluation Report (PEER) for work within Caltrans right-of-way.
- **3.** Project No. 5 (I-280/N. Wolf Rd.) is a project that was added to the workplan in 10/2015.
- 4. Project Nos. 6-8 (Projects in Mountain View) replaces the \$22M US 101 Southbound Improvements: San Antonio Rdl/Charleston Rd. to Shoreline Blvd. Project listed in the previous FY 2015-17 Workplan.
- 5. Project No. 7 (Implement new reversible transit lane) may only need a Permit Engineering Evaluation Report (PEER) for work within Caltrans right-of-way.
- 6. Project No. 10 (Hwy 17 Wildlife Crossing) is a new project added to FY 2016-17 Workplan, sponsored by Midpeninsula Regional Open Space District.
- 7. Project No. 11 (SR 87/Narvaez Ave) may only need a Permit Engineering Evaluation Report (PEER) for work within Caltrans right-of-way.

For planning purposes, Project Study Report - Project Development Support (PSR-PDS) level studies are estimated to be completed within 12-18 months.

NA = Information Not Available

**TBD** = To Be Determined



Date: April 28, 2016
Current Meeting: May 5, 2016
Board Meeting: May 5, 2016

#### **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:** Bay Area Express Lanes Operations Policy Updates

#### FOR INFORMATION ONLY

## **BACKGROUND:**

The Silicon Valley Express Lanes Program (referred to as the Program) has been under development since 2003 and was approved by the VTA Board of Directors in 2008. The Program (see Attachment A for projects in the Program) is implementing a roadway pricing system to allow the use of unused capacity in the Express Lanes to provide congestion relief. The roadway pricing system allows solo commuters to use this available capacity in the Express Lanes for a fee. The fee changes dynamically in response to existing congestion levels and available capacity in the Express Lanes as is the practice with the SR 237 Express Lanes. This memorandum highlights tolling policies for Express Lanes that are being implemented by other agencies in the Bay Area that VTA will have to address.

## **DISCUSSION:**

#### Bay Area Express Lanes Projects

The Bay Area has three Express Lanes systems in operation. The I-680 Southbound Express Lane and the I-580 Express Lanes are both led by the Alameda County Transportation Commission (ACTC) while the SR 237 Express Lanes is led by the Santa Clara Valley Transportation Authority (VTA). VTA is working to convert the remaining existing carpool lanes on SR 237 to Express Lanes operations as well as the first implementation of Express Lanes on US 101/SR 85 through a conversion of existing carpool lanes. ACTC is also leading a similar effort to implement Express Lanes in the northbound I-680 over the Sunol Grade to match the existing southbound Express Lane.

The Bay Area Infrastructure Financing Authority (BAIFA), a subset of the Metropolitan Transportation Commission (MTC) comprised of five voting members (MTC Chair, Bay Area

Toll Authority (BATA) Oversight Committee Chair, and county commissioners from Alameda, Contra Costa and Solano), is the other entity that has been granted authority to implement Express Lanes in the Bay Area. Through this authority, BAIFA is implementing Express Lanes on I-680, I-880, and I-80 in the three above named counties. Attachment B shows the map of Express Lanes projects that are in operation and under development in the Bay Area.

## Requirement for All Express Lane Users to Use Toll Tags

The existing tolling operations on SR 237 Express Lanes and the I-680 Southbound Express Lane only require solo commuters who choose to use the lanes to have a toll transponder (also referred to as a toll tag). Carpoolers using the Express Lanes are not required to carry a toll tag; they are required to remove the toll tag and place it in the provided mylar bag to avoid being charged a toll for their travel in the Express Lane.

The ACTC I-580 Express Lanes which opened in February 2016 requires all users including carpoolers to carry a tag. The I-580 Express Lanes is the first express lane in the Bay Area with this requirement. Other upcoming Express Lanes projects in the Bay Area region outside of Santa Clara County will also be requiring all users to use toll tags to use Express Lanes including BAIFA's I-680 Express Lanes (in Contra Costa County), I-880 Express Lanes (in Alameda County) and I-80 Express Lanes (in Solano County). In addition, ACTC is planning to implement a similar requirement beginning in the fall of 2018 for the existing I-680 Southbound Express Lane to be consistent with the I-580 Express Lanes operations. The BAIFA I-680 Express Lanes (in Contra Costa County) are planned to go into operation in the spring of 2017 with the same "all users must have a toll tag" requirement.

The reason for this change is to improve the toll collection and enforcement system through application of new technologies. The existing Express Lane systems in the Bay Area rely on the use of the standard toll tags. These are simple devices that allow tolls to be charged by the motorist displaying the tag usually on the vehicle's windshield. If a charge is not to be applied, then it's up to the motorist to remove the toll tag from being displayed. The requirement for all users to carry a tag simplifies the visual enforcement procedures for enforcement officers. This requirement also allows for the use of license plate recognition systems to collect tolls similar to what is already employed on Bay Area bridges. In summary, this change to require to carry toll tags (and consequently have a FasTrak account) to use Express Lanes, allows for more automation of the toll collection and enforcement system, with the advent of switchable toll tags being a key part of this automation.

#### Switchable Toll Tags

The first use of switchable toll tags in California was by the Los Angeles County Metropolitan Transportation Authority (Metro) when they opened the I-10 Express Lanes and I-110 Express Lanes with the requirement that all users including carpoolers would need to have a toll tag to use the Express Lanes. These switchable toll tags are different from the standard toll tags in that they come equipped with a switchable setting that allows motorists the option to declare vehicle occupancy level (1- solo driver, 2- two people, 3 - three or more people) as shown in Attachment C. This feature allows carpoolers to continue to be users of Express Lanes without being charged a toll while meeting the requirement that all users must have a toll tag. BATA, who is the distributor of all toll tags in the Bay Area, started the distribution of these switchable toll tags

in July 2015.

In order to maintain regional consistency and a uniform customer experience, it is recommended that VTA adopt a similar requirement to have all Express Lanes users including carpoolers in Santa Clara County to use a toll tag. The details of this recommendation will be brought to the VTA Board of Directors over the next few months. In the near-term, VTA plans to maintain a "no toll tag required for carpoolers" approach for the SR 237 Express Lanes. VTA can now read the switchable tags used on SR 237 Express Lanes so that if a carpooler passes through our system with a switchable toll tag set to two or three, then a charge will not be applied. Currently, five percent of all tag reads on SR 237 Express Lanes are switchable tags and this usage is growing quickly by the month.

If you register the toll tag to an account that is automatically replenished by a credit card, there is no fee to acquire up to three toll tags. However, if you register your toll tag to an account that is replenished by a cash/check payment, then \$20 will remain as a refundable deposit for your toll tag. Rules for acquiring the switchable toll tag remain the same.

### Legislation

Assembly Bill 1811 and Assembly Bill 2090 provide statutes to allow for the implementation of operational policies requiring carpoolers to use a toll tag to use Express Lanes.

#### Carpoolers on Bay Area Bridges

The Bay Area bridges today require carpoolers to have a toll tag to receive a discounted toll fare during weekday commute peak times by driving through dedicated lanes reserved for carpoolers. There are over 20,000 carpoolers that daily cross Bay Area bridges using discounted toll fares.

#### Violation Enforcement System

A Violation Enforcement System (VES) allows for automated enforcement of toll violations whereby a vehicle without a toll tag could have its license plate photographed for the purposes of ascertaining whether a violation notice is in order. If a violation is determined, the notice would be sent to the owner of the vehicle through a look-up of the Department of Motor Vehicles database. Implementation of a VES would allow California Highway Patrol (CHP) officers to focus their enforcement activities on solo drivers with toll tags claiming to be a carpooler. Attachments D and E provide an illustration of the two types of enforcement. The I-580 Express Lanes by ACTC and other Express Lanes under development by BAIFA include the use of VES for enforcement.

The VES could be a deterrent to toll violations and also result in reduced revenue leakage. Implementation of a VES system however would require additional back office processing to process video images. The additional cost to process video images is typically offset by the violation fee collected. A toll ordinance along with new business rules for customers would have to be established in order to collect the fines related to toll violations.

#### Next Steps

VTA will maintain its "no toll tag required for carpoolers" using the existing SR 237 Express Lanes and for the Phase 2 expansion but will be able to read the new switchable tags on the

facility. However, over the next few months, staff will bring recommendations for VTA to consider adoption of new toll operational requirements (similar to what has already been enacted for other Bay Area Express Lanes) for the VTA Board to consider for Express Lanes in Santa Clara County.

#### **Upcoming Key Milestones**:

- Spring 2016 VTA Board review of toll operational policies related to tag requirements, violation enforcement system and toll ordinance for Silicon Valley Express Lanes Program.
- Spring 2016 Request for Proposal for the US 101/SR 85 Express Lanes electronic toll systems integrator contract.
- Fall 2016 Award of the US 101/SR 85 Express Lanes electronic toll systems integrator contract.

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

The Citizen Advisory Committee heard this item on April 13, 2016 as part of the consent agenda.

The Technical Advisory Committee and Policy Advisory Committee heard this item on April 14, 2016 as part of the consent agenda.

## STANDING COMMITTEE DISCUSSION/RECOMMENDATION:

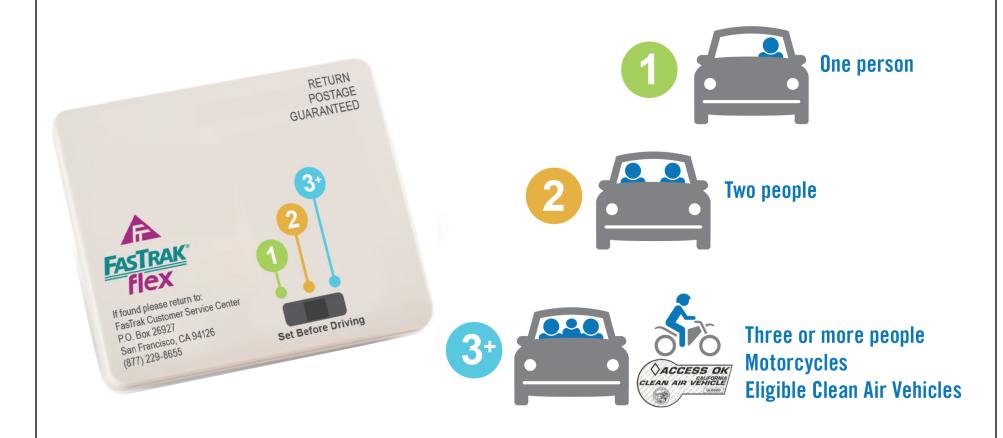
The Congestion Management Program and Planning Committee as a Committee of the Whole heard this item on April 13, 2016. The Committee had several questions on how the operational policies would affect users and enforcement. The Committee suggested that it would be important to undertake community education on the new policies when it is going to be implemented. In addition, it was suggested that cost analysis of implementing violation system be conducted when recommending the adoption of toll ordinance.

Prepared By: Murali Ramanujam

Memo No. 5307

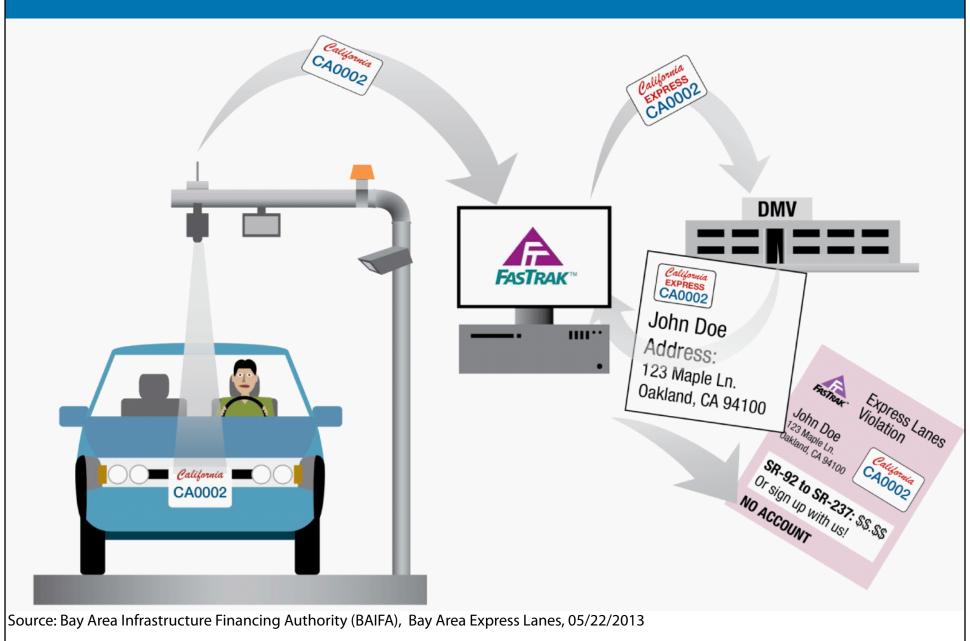
# ATTACHMENT B: BAY AREA EXPRESS LANES 128 116 101 Santa 121 Rosa 29 116 Napa Petaluma 680 Rio Vallejo Concord San Richmond Brentwood San Francisco 205 680 580 580 Pleasanton San Express Lanes in operation 280 101 **Express Lanes** 92 Express Lanes to be operated Palo 35 by MTC 680 Express Lanes to be operated by other agencies 280 San Operational Gap Closure Morgan Hill 101 □ Kilometers 30 152 HOT net System projection Street base map © Thomas Bros. Maps. All rights reserved. MTC Graphics/dc — 9.7.2012 25 Source: Metropolitan Transportation Commission

## ATTACHMENT C: SWITCHABLE TAG

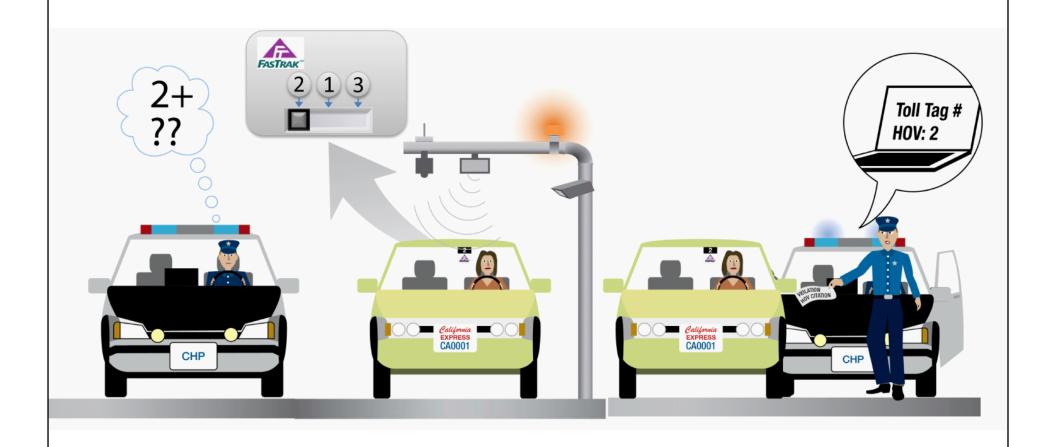


Source: Bay Area Toll Authority (BATA), 04/17/2015

# ATTACHMENT D: AUTOMATED NO TAG - VIOLATION ENFORCEMENT SYSTEM



# ATTACHMENT E: MANUAL TAG - OCCUPANCY VIOLATION ENFORCEMENT



Source: Bay Area Infrastructure Financing Authority (BAIFA), Bay Area Express Lanes, 05/22/2013



Date: April 28, 2016
Current Meeting: May 5, 2016
Board Meeting: May 5, 2016

#### **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:** Crossroads Traffic Collision Database Progress Report

#### FOR INFORMATION ONLY

#### **BACKGROUND:**

Crossroads is a traffic collision database software tool that provides traffic engineers, transportation planners, law enforcement and decision makers the ability to run queries and reports on electronically filed police collision reports. The main features of this tool include the ability to perform analysis on data, generate reports and visual diagrams for the purpose of identifying high collision locations and the contributing collision factors with the ultimate goal to minimize or prevent these collisions.

In 2009, the County of Santa Clara Roads and Airports Department, through the County of Santa Clara Public Health Departments' Traffic Safe Communities Network (TSCN) received a grant award from the State's Office of Traffic Safety to oversee the development of a customized, countywide web-based integrated Geographic Information Systems (GIS) traffic collision records network. The County selected Crossroads software as the platform on which to develop the countywide traffic collision database.

On June 14, 2014, the VTA Board of Directors authorized the use of \$150,000 from the Vehicle Registration Fee (VRF) program to enhance Crossroads and establish a countywide traffic collision database to be maintained by the County of Santa Clara Roads and Airports Department (County) staff as part of a three-year pilot program. As part of the grant, staff was to provide periodic progress reports on the status of the pilot program.

#### **DISCUSSION:**

As of February 2016, \$50,000 of \$150,000 has been used. The following tasks were completed in this first year:

- Establishing a contract with the Crossroads vendor
- Developing of a common interface for Crossroads software, uploading the most recent

five years of Statewide Integrated Traffic Records System (SWITRS) data into the shared database

- Creating user accounts
- Linking collision data from six local police departments into the shared Crossroads database
- Conducting two user group training sessions

In addition to these tasks, six of fifteen agencies have had their local police collision databases linked to the Crossroads database: Cupertino, Los Altos Hills, Mountain View, Santa Clara, Saratoga, and Sunnyvale. The collision data for these cities is updated on a weekly basis and data from SWITRS is updated on a quarterly basis.

The remaining budget of \$100,000 will be used to further improve user features, continue linking collision data from agencies that are not yet connected to Crossroads into the main database, and maintain the system software and hardware. Enhancements to the database system will be added based on input from the user group. A survey was recently sent to the user group to develop the work scope for the second year of the three year pilot program. The pilot program for the improvement and maintenance of the Crossroads Traffic Collision Database system is scheduled to be completed by June 2018 or earlier.

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

The Bicycle & Pedestrian Advisory Committee (BPAC) discussed this item at their meeting on April 13, 2016. Member Wadler inquired if this was a voluntary program. Member Goldstein inquired about the commitment from each of the agencies to participate in Crossroads. Member Brinsfield inquired about sufficient funding. Member Seehafer commented that City of Morgan Hill's police department is using a new incident documentation system.

The Technical Advisory Committee (TAC) received this item as part of the Consent Agenda at their meeting on April 14, 2016.

The Policy Advisory Committee (PAC) as a Committee of the Whole received this item as part of the Consent Agenda at their meeting on April 14, 2016.

#### STANDING COMMITTEE DISCUSSION/RECOMMENDATION:

The Congestion Management Program & Planning Committee (CMPP) met as a Committee of the Whole and discussed this item at their meeting on April 21, 2016. Member Esteves inquired how Crossroads can be used by staff to improve safety at high accident locations. Member Hendricks inquired about the purpose and use of Crossroads.

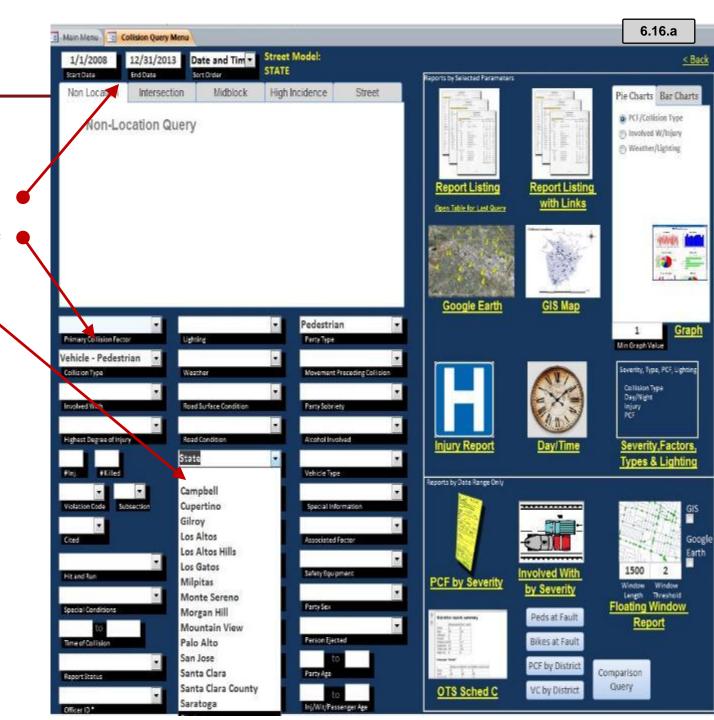
Prepared By: Eugene Maeda

Memo No. 5525

## **Crossroads**

## Query Example:

- ➤ By Time Period
- ➤ By Collision Type
- ➤ By City...

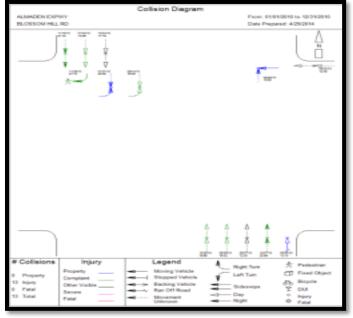




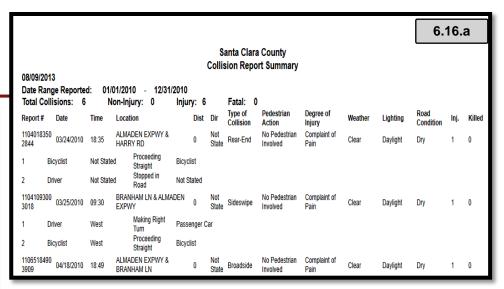
## **Example Reports**

	High Insidence Depart	1 of 1
	High Incidence Report	
Rank	<u>Location</u>	<u>Count</u>
1	GREAT MALL PKWY at MONTAGUE EXPWY	63
2	KIFER RD at LAWRENCE EXPWY	54
3	LAWRENCE EXPWY at STEVENS CREEK BLVD	45
4	MONTAGUE EXPWY at OAKLAND RD	42
5	CAPITOL EXPWY at STORY RD	40
6	HOMESTEAD RD at LAWRENCE EXPWY	39
7	CAPITOL EXPWY at RT 101	34
8	LAWRENCE EXPWY at OAKMEAD PKWY	33
9	MONROE ST at REED AVE	32
10	PAYNE AVE at SAN TOMAS EXPWY	31
Query Pa	rameters Used:	
From Dat	e: 01/01/2008	
To Date: (	06/01/2011	

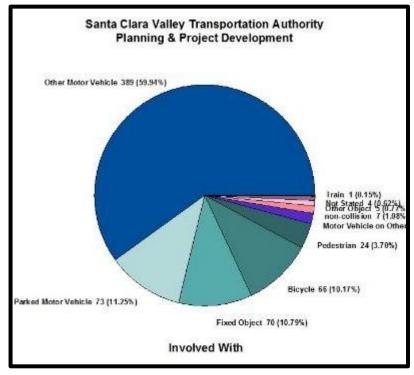
## **High Incidence Locations**



Collision Diagrams



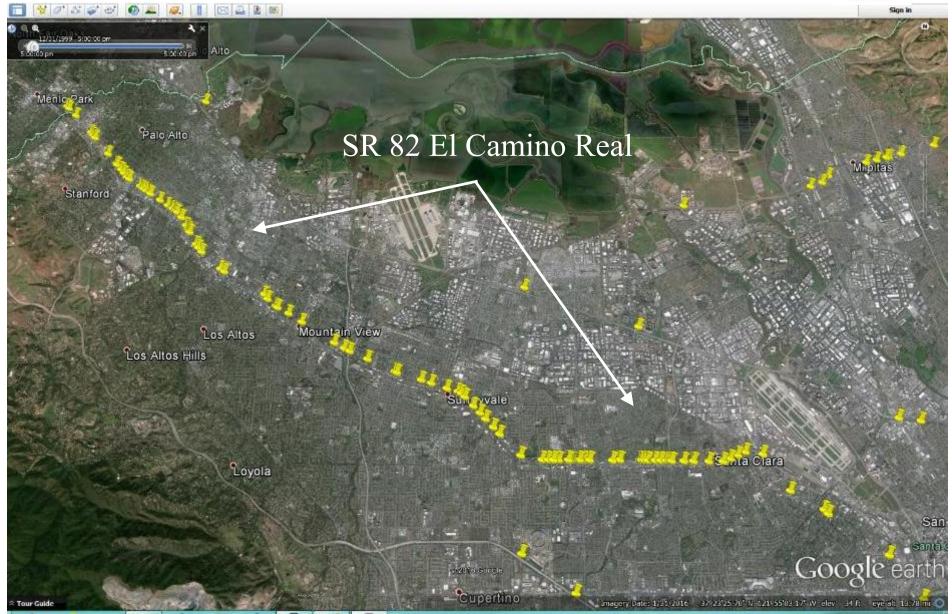
## Various filterable Collision Reports



Pie and Bar Charts

**Google Earth Map Example:** Auto-Bicycle Accidents on State Highways in Santa Clara County (2010-2013)







Date: March 30, 2016
Current Meeting: May 5, 2016
Board Meeting: May 5, 2016

#### **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:** Review of Draft Outline and Work Plan for Comprehensive Study

#### FOR INFORMATION ONLY

#### **BACKGROUND:**

VTA is currently updating the long range countywide transportation plan called Valley Transportation Plan (VTP). The plan is updated every four years and is a comprehensive, countywide, multi-modal, 25-year transportation vision for Santa Clara County. The plan also established policies, practices, funding priorities and identifies programs and projects to implement the plan. Projects identified in the plan are submitted to the Metropolitan Transportation Commission for inclusion in the Regional Transportation Plan.

As part of the update to VTP, VTA is also working on Envision Silicon Valley (Envision SV), which is a public engagement process to develop a vision for transportation in Silicon Valley and to develop a program of projects to be funded through a potential county-wide sales tax in November 2016. The potential funding through a new sales tax and the program of projects are all considered a component of the VTP.

In order to develop VTP/Envision SV program, VTA created a policy development and public engagement process led by a special ad hoc committee of the Board of Directors. The outreach process also includes stakeholder and advisory groups, as well as additional public outreach through social media and public meetings.

In August 2015, several cities within the county sent a letter to VTA requesting a series of studies to assist in developing a comprehensive transit plan. A second letter was received on December 3, 2015 from the cities which reiterated the request for study and also asked for demographic and travel pattern data be provided to cities to assist in their planning and project prioritization of transportation projects. The data request will be the subject of a separate memorandum.

VTA staff met with staff from the signatory cities on December 10, 2015 to discuss a scope and work plan for the requested comprehensive study. This memorandum is intended to outline the

scope, work plan and process for the requested study effort.

#### **DISCUSSION:**

The August 27, 2015 letter requested the following series of studies outlined below:

#### **Requested Study 1**

"*Initiate a comprehensive study*" (Countywide level)

#### VTA Response:

To address the request for a comprehensive study, VTA staff has included attachments which outline the process to update VTP, the county wide transportation plan. The outline describes the scope, schedule and process to develop the county wide plan, the studies needed to support development of the plan, as well policies, practices and projects necessary to implement the plan.

#### **Requested Study 2**

"Leading to an alternatives analysis" (Corridor level)

#### VTA Response:

To address this corridor level alternatives analysis request the VTA Board created a SR 85 Policy Advisory Board (SR85 PAB) to provide policy direction using a two-phase process. Phase 1 is a high level screening of potential projects to be completed by May 2016 to inform consideration of a project(s) to be included in the potential November 2016 sales tax ballot. Phase 2 would continue into an alternatives analysis of the selected project(s) following successful ballot results.

In addition to the SR 85 PAB, VTA and other partners within the county and Bay Area are collaborating on an additional corridor level studies and corridor project implementation efforts:

- North Bayshore /NASA/ Google conceptual alternatives analysis (VTA/Mountain View/Google)
- I-680 Corridor Study (VTA)
- I-280 Corridor Study (VTA/Cupertino)
- SR 87 Corridor (VTA/San Jose)
- Complete Street Corridor Studies (VTA, Sunnyvale, Milpitas, San Jose, Campbell)

#### **Requested Study 3**

"Conduct a federal environmental review process and clearance" (Project level)

#### VTA Response:

As projects are defined, funded and included in the VTP and RTP, they can then move into the formal environmental review and clearance process. Following Phase 2 of SR 85 PAB, the selected project alternatives can then move into the environmental clearance process.

VTA, cities, County and other regional rail partners are in the process of environmental review on a number of projects serving Silicon Valley. Some recent examples include the

101/SR237/Mathilda Ave interchange in Sunnyvale, El Camino Real BRT project in the North County, BART Silicon Valley - Phase II in San Jose and Santa Clara.

#### **Requested Study 4**

"Develop a system-wide plan that integrates future mass transit investment in Santa Clara County with connections to other counties" (Multi-county level & Multi-transit operator)

#### VTA Response:

VTA is currently working with MTC, Caltrans, Bay Area CMAs, and regional transit operators on several multi-county, multi-operator system improvements projects.

- Transit Ridership Improvement Program (TRIP) (VTA)
  - o Bus System Re-model
  - Light Rail System Enhancements Program
  - Core Connectivity first/last mile solutions
- Express Bus Plan update (VTA)
- Caltrain Modernization Phase 1 and 2 (Caltrain and partner agencies)
- BART to Silicon Valley Phase 1 and 2 (VTA)
- High Speed Rail Merced to San Francisco
- ACE/Capitol Corridor capital and operating improvements
- Managed Lanes Implementation Plan Express Lane/HOV/Express Bus Master Plan for Bay Area (MTC)
- Bay Area Goods Movement Freight Plan (MTC/ACTC)
- State Rail Plan (State Transportation Agency)
- Countywide Bike Plan update (VTA)

#### **Requested Study 5**

"Initial study should focus on SR 85, US 101, SR 237 and I-280" (Geographic focused area study)

#### VTA Response:

To address this corridor level alternatives analysis request the VTA Board created a SR 85 Policy Advisory Board (SR85 PAB) to provide policy direction using a two-phase process. Phase 1 is a high level screening of potential projects to be completed by May 2016 to inform consideration of a project(s) to be included in the possible November 2016 sales tax ballot. Phase 2 would continue into an alternatives analysis of the selected project(s) following successful ballot results.

#### ADVISORY COMMITTEE DISCUSSION/RECOMMENDATION:

The TAC received this item at their February 11, 2016 meeting. The Committee and staff

engaged in a discussion on how the Valley Transportation Plan (VTP) is developed and how it results in a comprehensive transportation plan for Santa Clara County. Staff encouraged Committee Members to notify VTA if there are areas/corridors that need to be studied.

The Policy Advisory Committee deferred this item until their March 10, 2016 meeting.

The Policy Advisory Committee received this item at their March 10, 2016 meeting. The committee discussed the update of the Valley Transportation Plan, which includes development of policies and vision of the Plan.

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

The Congestion Management Program and Planning Committee received this item at their February 18, 2016 meeting. A brief discussion on traffic solutions at various locations throughout the county occurred, and Committee members requested staff to include Technical Advisory Committee members in future discussions regarding a Countywide Comprehensive Study.

Prepared By: John Ristow

Memo No. 5414

# Valley Transportation Plan (VTP) Update "Mobility For All"

## Plan Inputs

## Vision for Transportation

Future Needs & Opportunities

### Data / Information

- Transportation Systems
- Travel demand / Patterns
- Socio/Econ/Business Trends
- Land Use Patterns
   Emerging Tech / Services

## Existing Studies, Plans & Projects

- VTA Studies / Designs
- Local Studies / DesignsProject Lists

## **Fund Estimates**

• Resources we have / expect

### **Policies**

Decision-making Guidance

## The Plan

# Goals, Themes, Challenges, Opportunities, Constraints

#### **Vision Section**

- Vision for Tomorrow / Goals
- Challenges and Opportunities ahead
- Strategies to pursue and Achieve Goals
- Evolving Partnerships

## **Planning Section**

- Existing Studies What we will do next
   / Issues we will tackle in the future
   (prepare for next plan)
- Improvement Plan (outlining ways to improve existing transportation plans, projects and services)
- New Studies, Policies & Programs

## Mandatory Section(s)

- Constrained Financial Plan / Long-range Fund Estimates
- Financially Constrained Projects and Programs
  - Project Lists by Program
     Area

## **Plan Outputs**

# Regional Transportation Plan *Input*

- Fund Estimates
- Financially Constrained Projects
   Lists & Programs
- Synergy with Regional Polices and Programs

### Planning Program

- Project Development
   (Financially Constrained
   Projects moving into design,
   implementation and
   operational phases)
- New Studies and Plans

#### **Implementation**

- Input to other plans (SRTP, Strategic Plan, Budget, etc.)
- Policies Development (to support VTA and City/Co Goals
- Strategies & Programs to seize new opportunities

## Valley Transportation Plan/Envision Silicon Valley Long-range Transportation Plan for Santa Clara County

#### **Summary**

VTA will include a comprehensive review and study of the valley's transportation system with the update of the countywide long-range transportation plan - Valley Transportation Plan (VTP). In setting the vision for the next 25 years, VTA will coordinate the many integrated corridor and program studies that have already been completed, that are underway, and that are being considered for the future. VTA will also identify any major connectivity or corridor gaps and prioritize these areas/programs for future study and analysis. The studies will include all modes of mobility.

VTA will take a fresh look at how mobility is defined for the region and investigate new alternatives - including a special focus on new and emerging technologies and services. VTA will analyze the potential impacts and opportunities of the technologies and services, as well as VTA's potential role in their implementation and operation. These new and emerging opportunities may include: car/bicycle sharing, new service models such as advanced reservation, subscription or on-demand services, managed roadways, public/private partnerships, and applied technologies to make service delivery more productive and more attractive to consumers. Lastly, VTP will highlight the synergies we can achieve by emphasizing the interconnection of networks and mobility options.

Additionally, the VTP will include a vision element to illustrate what is needed to best utilize our current resources and what we can accomplish with additional resources if they become available. The vision element will include policies to help the region meet the vision. The Plan will also include a work plan to detail future actions by VTA and the Cities and County to reach our mobility goals.

#### **Process**

VTA will work with all our advisory committees throughout the process. Technical staff and elected leaders serving on the Technical Advisory Committee and Policy Advisory Committee will serve as the key representatives and participants for each city and the county.

#### Schedule

The process began in spring 2015 and the analysis and outreach will be conducted through the year. A draft plan will be produced in the first part of next year with Board adoption scheduled for summer 2017. The timeline below outlines steps and milestones of plan development.

## Draft Timeline for Comprehensive Plan Development

2015	2016			2017			
Jan Feb Mar Apr May Jun Jul Aug Sep Oct	Nov Dec Jan Feb Mar Apr May Jun Jul .	Aug Sep Oct Nov Dec	Jan Feb Ma	ır Apr May Jun Jul	Aug Sep	Oct Nov Dec	
Valley Transportation Plan/Envision Silicon Valley							
Establish Goals							
Call for Projects/Submit Projects to MTC							
Establish Sales Tax Program/Projects							
	Develop Policy, Principles	& Practice					
Project/Corridor & Area Studies							
	Modelling Results/System Integration						
				Oraft & Final VTP			

















December 3, 2015

The Honorable Perry Woodward, Chair Valley Transportation Authority 3331 North First Street San Jose, CA 95134-1906

#### Dear Chair Woodward:

We are writing to follow up on our letter dated August 27, 2015 regarding the need to initiate a comprehensive study to develop a system-wide plan that integrates future mass transit investments in Santa Clara County. The continued economic vitality of the region is dependent on congestion relief and getting people from where they live to where they work to ensure a continued high quality of life for all residents.

We appreciate your quick response dated September 3, 2015. In that letter, you stated that you would refer our request to Valley Transportation Authority (VTA) staff at the VTA Board of Directors' September 3 meeting. It has been almost three months now and we are not clear what the status of our request is.

We ask that the Board take up this issue by the end of the year. If that is not possible, please provide a firm commitment of when it will happen. Although a draft scope of a transportation study of the State Route 85 corridor was discussed by the State Route 85 Corridor Policy Advisory Board (PAB) during its first meeting last week, we want to make it clear to the VTA Board that the proposed West Valley study, while beneficial, is not the comprehensive study the nine cities requested in our joint letter.

We understand the comprehensive study we are requesting cannot be completed before a 2016 sales tax measure, but, as we noted in our letter, it is imperative that work on the study begin as soon as possible and not wait for the sales tax measure before it gets underway. Please let us know when the VTA Board will be taking up the issue of initiating the comprehensive study.

We would also appreciate your assistance in directing VTA staff to share any relevant data they have developed regarding current and future employment, housing and

The Honorable Perry Woodward December 3, 2015 Page 2

commute patterns/data within and outside of Santa Clara County. This information will help cities as we evaluate and prioritize all the VTP 2040 proposals.

Thank you for your attention to this request.

Sincerely,

Jason Baker, Mayor

City of Campbell

Bany Change

Barry Chang, Mayor City of Cupertino

Jeannie Bruins, Mayor City of Los Altos

Courtenay C. Corrigan, Mayor

Town of Los Altos Hills

John McAlister, Mayor City of Mountain View

Karen Holman, Mayor City of Palo Alto

A laux

Howard Miller, Councilmember

City of Saratoga

James Griffith, Mayor City of Sunnyvale

Jones & Dufth

cc: Nuria Fernandez, General Manager, VTA

VTA Board of Directors

Carl Guardino, Silicon Valley Leadership Group

Mark Linder, City Manager, City of Campbell

David Brandt, City Manager, City of Cupertino

Marcia Somers, City Manager, City of Los Altos

Carl Cahill, Town Manager, Town of Los Altos Hill

Laurel Prevetti, Town Manager, Town of Los Gatos

Daniel H. Rich, City Manager, City of Mountain View

James Keene, City Manager, City of Palo Alto

James Lindsay, City Manager, City of Saratoga

Deanna Santana, City Manager, City of Sunnyvale



















August 27, 2015

The Honorable Perry Woodward, Chair Valley Transportation Authority 3331 North First Street San Jose, CA 95134-1906

#### Dear Chair Woodward:

The Mayors and City Managers of West Valley and North County cities have been meeting in recent weeks to discuss regional transportation issues and our common interests in addressing the transportation-related needs of our residents and businesses. A commitment to an innovative, intermodal and geographically balanced transportation vision for Santa Clara County is critical to the continued growth and vitality of the Silicon Valley as well as the quality of life of its residents.

The Valley Transportation Authority's (VTA's) current effort to update the list of projects to be included in the Valley Transportation Plan (VTP) 2040 provides Valley leaders with a critical opportunity to shape a new and transformative long-range vision for transportation in Santa Clara County.

Representatives of the West Valley and North County cities believe that in addition to VTP project requests submitted from each city, a stronger "systems" perspective is needed to support an integrated regional strategy and decisions on future mass transit investments. Specifically, the cities signing this letter respectfully request that the VTA initiate a comprehensive study, leading to an alternatives analysis and formal Federal environmental review process and clearance, to develop a system-wide plan that integrates future mass transit investments in Santa Clara County with connections to other counties, via such systems as Caltrain, as well as community-level systems and "first/last mile" strategies. The study's initial focus should be on the Highway 85/U.S. Route 101/State Route 237/Interstate 280 corridors, recognizing the changing dynamics of commute patterns within the Peninsula, East Bay and southern Santa Clara County that affect West Valley and North County cities.

The undersigned cities all agree that it is imperative that work on this study begin as soon as possible, so that the study can inform near-term project funding decisions, and

The Honorable Perry Woodward August 27, 2015 Page 2

that the study process include the consideration of the formation of a joint powers advisory board.

Thank you for your attention to this request.

Sincerely,

Jeffrey Cristina, Mayor City of Campbell

Rod G. Sinks, Mayor City of Cupertino

Jan Pepper, Mayor City of Los Altos

Spand Chapper

Courtenay C. Corrigan, Mayor Town of Los Altos Hills

Marcia Jensen, Mayor Town of Los Gatos John McAlister, Mayor City of Mountain View

Karen Holman, Mayor City of Palo Alto

Laren Anla

Howard Miller, Mayor City of Saratoga

Manney a, Mother,

James Griffith, Mayor City of Sunnyvale

James & Duffth

cc: Nuria Fernandez, General Manager, VTA
VTA Board of Directors
Carl Guardino, Silicon Valley Leadership Group
Mark Linder, City Manager, City of Campbell
David Brandt, City Manager, City of Cupertino
Marcia Somers, City Manager, City of Los Altos
Carl Cahill, Town Manager, Town of Los Altos Hill
Les Whiles, Interim Town Manager, Town of Los Gatos
Daniel H. Rich, City Manager, City of Mountain View
James Keene, City Manager, City of Palo Alto
James Lindsay, City Manager, City of Saratoga
Deanna Santana, City Manager, City of Sunnyvale



September 3, 2015

Hon. Jeffrey Cristina, Mayor, City of Campbell; Hon. John McAlister, Mayor, City of Mountain View; Hon Rod G. Sinks, Mayor, City of Cupertino; Hon Karen Holman, Mayor, City of Palo Alto; Hon. Jan Pepper, Mayor City of Los Altos; Hon. Howard Miller, Mayor, City of Saratoga; Hon. Courtenay C. Corrigan, Mayor, Town of Los Altos Hills; Hon. James Griffith, Mayor, City of Sunnyvale; Hon. Marcia Jensen, Mayor, Town of Los Gatos

#### Honorable Mayors:

Thanks for your letter of August 27, 2015 encouraging the VTA to pursue creative and innovative solutions to the transportation challenges that your cities, and the region as a whole, are experiencing. I am gratified that you recognize the importance of a holistic approach to solving congestion and closing the gaps throughout the county's transportation network.

VTA is committed to identifying and implementing these types of solutions and to working in close cooperation with your cities' land use authority and regional transportation. From planning and funding bicycle and pedestrian pathways, roadway, expressways and street improvements to capital improvements and operations of light rail, buses and Caltrain and extending BART service to Santa Clara County, VTA is well positioned in our role of forming the long-range vision for transportation in Silicon Valley.

In response to your letter. I am pleased to inform you that at its August Board Meeting, the VTA Board of Directors established the Policy Advisory Board you had requested. We have received appointments from all the cities listed in your letter for principal and alternate representatives to the SR 85 Corridor Policy Advisory Board. The first meeting is being planned and announcements will be made in the near future.

Further, the current Envision Silicon Valley process provides leaders in our region the ability to help formulate a comprehensive vision of the County's transportation future as we collectively address the challenges of providing mobility options with limited financial resources as cities continue to plan for higher commercial and residential density within limited geographic resources.

As you may know, this vision for the future will be funded from a variety of sources. Depending on the specific solution, we will be accessing funds from a combination of local, state and federal sources. For that reason it is so critical for cities and the county to submit their priority projects to be entered into the regional pool for evaluation and selection. In addition, we are examining the potential of a county wide sales tax to once again demonstrate the willingness of our citizens to tax themselves to provide solutions to much needed transportation enhancements.

At the September 3, 2015 Board Meeting I will refer your request to staff to initiate a comprehensive study that results in a plan for a transportation network that addresses the overall mobility needs in our County. This study will build upon the strong foundation VTA has established. The work of the SR 85 Corridor Policy Advisory Board will closely align with this comprehensive study and will be directly

West Valley and North County Cities Mayors VTA's Response to West Valley/North County Cities Letter September 3, 2015 Page 2 of 2

involved with the areas of concern you described in your letter. These studies will benefit greatly from the advice and guidance of the Policy Advisory Board and your input will be essential in prioritizing potential new and creative transportation solutions.

While your letter asks that the study inform near-term project funding decisions, I do not agree that this will be a desirable approach. As you know, it takes time to accomplish the objectives of these types of studies. Major investment studies can, in some cases, take two or more years to complete. While a comprehensive, major investment study will certainly inform decision making for future projects, our regional needs are immediate and continuous. We don't have the luxury of a pause while we consider future options. Development in your cities will certainly continue as will our need to address their impacts to the existing transportation network. It is very encouraging, however, that with this request we can strengthen our partnership in coordinating your land use decisions with transportation projects and programs.

The ongoing Envision Silicon Valley process, with its extensive community outreach and input, will allow us to evaluate projects in the near term as well as define an outline for the future and identify credible sources for funding the projects.

Thanks again for your interest and support of transportation issues in our region. It is only through the active engagement and critical input from our city and county leaders that we will cooperatively and successfully address the transportation challenges before us.

Yours truly.

Perry Woodward

May 200

Chair

Enclosure

ce:

VTA Board of Directors
County Board of Supervisors
Carl Guardino, Silicon Valley Leadership Group
Mark Linder, City Manager, City of Campbell
David Brandt, City Manager, City of Cupertino
Marcia Somers, City Manager, City of Los Altos
Carl Cahill, Town Manager, Town of Los Altos Hills
Les Whiles, Interim Town Manager, Town of Los Gatos
Daniel H. Rich, City Manager, City of Mountain View
James Keene, City Manager, City of Palo Alto
James Lindsay, City Manager, City of Saratoga
Deanna Santana, City Manager, City of Sunnyvale



Date: April 21, 2016
Current Meeting: May 5, 2016
Board Meeting: May 5, 2016

#### **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 of the Alum Rock Avenue Roadway, Busway and Station

Improvements (C836)

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

#### **ACTION ITEM**

#### **RECOMMENDATION:**

Authorize the General Manager to execute a contract with Ghilotti Construction Company, the lowest responsive and responsible bidder, in the amount of \$16,135,021 for the construction of the Alum Rock Avenue Roadway, Busway and Station Improvements (C836) Project (See Exhibit A).

#### **BACKGROUND:**

In December 2008, the VTA Board of Directors approved the Santa Clara Alum Rock Bus Rapid Transit (BRT) Project Environmental Impact Report, defining the 7.2 mile project in the City of San Jose. The Project extends from the western terminus at the SAP Center 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.

On November 7, 2013, the VTA Board of Directors authorized execution of a contract with Goodfellow Top Grade Construction (GTGC) for the Santa Clara Alum Rock BRT Project, Civil and Stations Improvement contract. However, several issues during construction finally led to a Closeout Agreement for the resolution of all disputes and the prompt and orderly closeout and demobilization of GTGC's Contract in September 2015.

Using a combination of assigned subcontractors from the GTGC contract and the current Restoration and Completion contractor, unfinished work along the corridor is being completed so the corridor is restored and maintained in a safer and cleaner configuration. This ongoing work

includes sanitary sewer, storm drain, street lighting, traffic signals and station platforms on Santa Clara Street and Capitol Avenue/Expressway. The remaining work has been repackaged and advertised for competitive bidding under two separate contracts; one contract for the Downtown stations (recently awarded in February 2016) and the other for the Alum Rock Avenue Roadway, Busway and Stations (C836).

The scope for the Alum Rock Avenue Roadway, Busway and Stations contract (C836) includes pavement work for the eastbound lanes along Alum Rock Avenue from US101 to Interstate 680, widening of Alum Rock east of Interstate 680, pavement work for the median busway from US101 to Capitol Avenue, and the construction of BRT median platforms at King Road and at Jackson Avenue.

To minimize community impacts, the original pavement scope for full reconstruction of the eastbound lanes and the busway is now reduced to an overlay concept with some pavement digouts as needed. Also, the contract includes additional constraints addressing the progress of work. For example, the Alum Rock corridor will be divided into short segments, and the contractor will be required to provide a site-specific work plan for each segment to be approved by VTA. The contractor will then be required to complete work in one segment before proceeding to the next, except for the paving operation which is most efficient when performed continuously.

#### **DISCUSSION:**

The Alum Rock Avenue Roadway, Busway and Station Improvements Project contract was advertised for pre-qualification on November 5, 2015, and a list of pre-qualified bidders established on December 21, 2015. The contract was advertised for bids on January 28, 2016. Three bids were submitted on April 8, 2016 with the following results:

Company Name	Bid Amount
Ghilotti Construction Company	\$16,135,021
Granite Rock Company	\$17,087,008
Bay Cities Paving and Grading, Inc.	\$19,193,188

Engineer's Estimate \$13,682,999

The three bids received were within 16% of each other and deemed competitive. The lowest bid is 18% higher than the Engineer's Estimate. This difference can be attributed to the risk of encountering unknown utilities in an older roadway corridor, a constrained and aggressive project schedule, and the overall project climate. VTA staff has performed a bid analysis and has determined the bid to be fair and reasonable. Ghilotti Construction Company is the lowest responsible and responsive bidder. Staff recommends award of this contract to Ghilotti Construction.

Construction is scheduled to begin in May with shelter and roadway construction completion by January 2017. Bus Rapid Transit Service in the exclusive median guideway is anticipated to begin in January 2017.

#### **ALTERNATIVES:**

The Board could choose to reject all bids and re-advertise the contract. This would result in a delay in awarding this contract and delay the completion of the Alum Rock Avenue Roadway, Busway and Station Improvements.

#### **FISCAL IMPACT:**

This action will authorize \$16,135,021 for the Alum Rock Avenue Roadway, Busway and Stations contract. Appropriation for this expenditure is included in the FY16 Adopted 2000 Measure A Transit Improvement Program Fund Capital Budget. This contract is funded with 2010 State Transportation Improvement Program and 2000 Measure A funds.

#### SMALL BUSINESS ENTERPRISE (SBE) PARTICIPATION:

Based on identifiable subcontracting opportunities, a Small Business Enterprise (SBE) goal of 7.52 % was established for this contract. Ghilotti Construction has committed to an SBE participation of 10.87% for this contract.

#### **STANDING COMMITTEE DISCUSSION/RE COMMENDATION:**

The Administrative & Finance Committee scheduled for Thursday, April 21, 2016 was cancelled.

Prepared by: Mohamed Basma, Program Manager Memo No. 5305

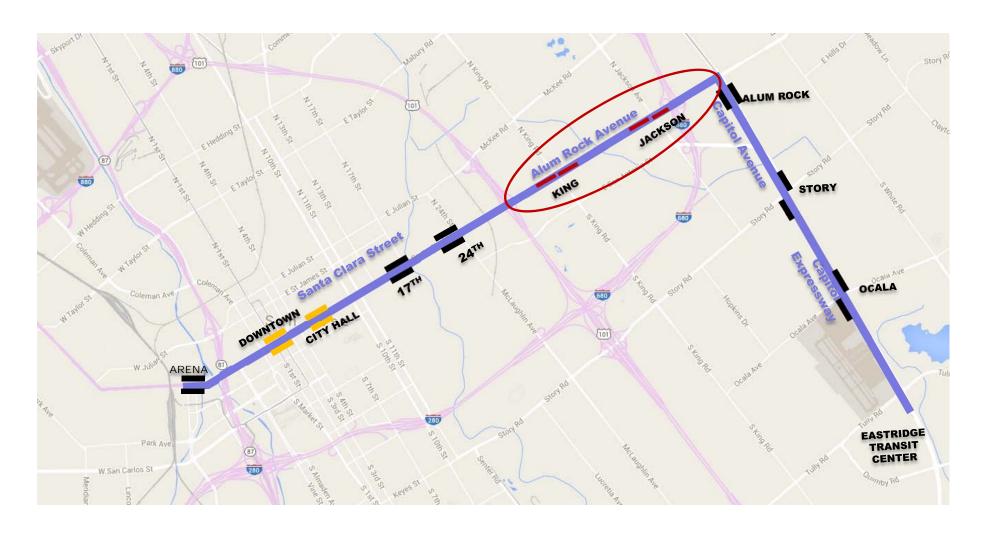
#### ATTACHMENTS:

• 5305 - Alum Rock Project Map (PDF)

## CONSTRUCTION OF THE ALUM ROCK ROADWAY, BUSWAY AND STATION IMPROVEMENTS



#### **EXHIBIT A**





Date: April 28, 2016
Current Meeting: May 5, 2016
Board Meeting: May 5, 2016

#### **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:** Disadvantaged Business Enterprise (DBE) Program – Status Update

#### FOR INFORMATION ONLY

#### **BACKGROUND:**

The Disadvantaged Business Enterprise (DBE) Program is part of the federal statutory requirements as a recipient of Federal financial assistance from the Department of Transportation.

#### **DISCUSSION:**

VTA currently has a DBE Overall Goal of 13%. This goal is calculated using established formulas to ensure compliance with Federal Transit Administration (FTA) grants. VTA current overall goal attainment is **16.1%**, with 158 DBE businesses awarded \$167 million in contracts.

#### **CONCLUSION:**

VTA is currently exceeding its DBE overall goal and will continue with its program initiatives to encourage DBE participation in its federally funded projects, including VTA's Phase II of the Silicon Valley's BART Extension Project.

#### STANDING COMMITTEE DISCUSSION/RECOMMENDATION:

The Administration & Finance Committee did not consider this item due to the cancellation of its April 21, 2016 meeting.

Prepared By: Liz Brazil

Memo No. 5558

# Disadvantaged Business Enterprise (DBE) Program Update

Office of Small and Disadvantaged Businesses (OSDB)

Diversity and Inclusion Department



## **DBE Goal Setting and Methodology**



Contract-specific goals are set when there are subcontracting opportunities

Goals are based on the available DBEs who are willing, ready and able to perform the work within the market area

## Step I:

Number of Ready, Willing and Able DBEs (CUCP Database)

All firms, [DBEs and Non-DBEs] (Census Bureau)

## **Step II:**

Examine evidence such as historical data, disparity study, capacity of DBEs to perform work.

## **DBE Program Status Update**



## 13% DBE Benchmark Overall Goal

- DBE Overall Goal Attainment 16.16%
- 158 DBE Businesses awarded contracts worth \$167 million
- 22 Pending Certifications Decisions



Date: April 28, 2016
Current Meeting: May 5, 2016
Board Meeting: May 5, 2016

#### **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:** Minority and Women-Owned Business Enterprise (MWBE) Program - Status

Update

#### FOR INFORMATION ONLY

#### **BACKGROUND:**

VTA adopted the Minority and Women-Owned Business Enterprise (MWBE) Program in August 28, 2014. The MWBE Program plan initiatives are to increase minority and women-owned business participation for locally funded contracts and to ensure that minority and women-owned businesses are afforded an equitable opportunity to compete on all VTA contracts and subcontracts.

#### **DISCUSSION:**

Since adoption, VTA has held significant outreach activities throughout Santa Clara County including meet and greet networking sessions with prime contractors, certification workshops, public agency contracting learning opportunities, and other support services to provide awareness of services available. These outreach efforts resulted in 50 new certified MWBE firms. Of these, 30%, or fifteen MWBE certified firms were awarded contracts worth over \$6.67 million, exceeding the 18% aspirational goal adopted by the VTA Board.

#### **NEXT STEPS:**

Amend the existing MWBE Program to include disabled veteran and Lesbian, Gay, Bisexual, and Transgender (LGBT) business enterprises, and rename the MWBE Program to Business Diversity Program.

#### STANDING COMMITTEE DISCUSSION/RECOMMENDATION:

The Administration & Finance Committee did not consider this item due to the cancellation of its April 21, 2016 meeting.

Prepared By: Liz Brazil Memo No. 5559

# Minority and Women Owned Business Enterprise (MWBE) Program Update

Office of Small and Disadvantaged Businesses (OSDB)

Diversity and Inclusion Department



## MWBE Update (Adopted August 2014)



## 18% MWBE Aspirational Goal

- MWBE Attainment 30%
- 15 MWBE Businesses awarded contracts worth \$6.67 Million
- 50 Certified MWBE Firms
- 9 Pending Certification Decisions

## Next Steps



## **Business Diversity Program**

- Expand existing Minority and Women Business Enterprise (MWBE) Program to include Disabled Veteran Business Enterprise (DVBE) and Lesbian, Gay, Bisexual and Transgender Business Enterprise (LGBTBE) Program
- Rename MWBE Program to Business Diversity Program



Date: April 28, 2016
Current Meeting: May 5, 2016
Board Meeting: May 5, 2016

#### **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:** Amendment of the Minority and Women-Owned Business Enterprise Program

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

#### **ACTION ITEM**

#### **RECOMMENDATION:**

Amend the Minority and Women-Owned Business Enterprise Program (MWBE) to include Disabled Veteran, and Lesbian, Gay, Bisexual, and Transgender (LGBT) Business Enterprises, and rename the program to Business Diversity Program.

#### **BACKGROUND:**

VTA adopted the MWBE Program in August 28, 2014. Program initiatives were developed to increase minority and women-owned business participation for locally funded contracts and to ensure that minority and women-owned businesses are afforded an equitable opportunity to compete on all VTA contracts and subcontracts.

#### **DISCUSSION:**

The MWBE Program has been successful in encouraging participation in our procurement process. Staff recommends amending the MWBE Program to include Disabled Veteran and LGBT business enterprises, and renaming the program to Business Diversity Program. The amendment of the MWBE Program will create opportunities for minority, women, Disabled Veteran and LGBT businesses.

#### **ALTERNATIVES:**

The VTA Board of Directors could decide not to amend and include Disabled Veteran or LGBT business enterprises in whole, or request to provide additional information or re-evaluate certain aspects of the program amendment.

#### **FISCAL IMPACT:**

There is an additional \$75,000 community outreach services targeted to Disabled Veteran and LGBT businesses that will result from the adoption of the proposed changes. Appropriation for these expenditures is available in the FY16 & FY17 Adopted VTA Transit Fund Operating Budgets.

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

The Administration & Finance Committee did not consider this item due to the cancellation of its April 21, 2016 meeting.

Prepared by: Liz Brazil Memo No. 5557

#### ATTACHMENTS:

• Business Diversity Program 5557 (final) Attachment (PDF)

# **Business Diversity Program**

Minority Business Enterprise (MBE), Women Business Enterprise (WBE), Disabled Veteran Business Enterprise (DVBE), Lesbian, Gay, Bisexual and Transgender Business Enterprise (LGBTBE)



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A 44 1 4 75	Subcontractor Information
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#### **BUSINESS DIVERSITY PROGRAM**

#### **Policy Statement**

It is the policy of Santa Clara Valley Transportation Authority (VTA) that its contractors, subcontractors and suppliers shall not discriminate on the basis of sex, gender, gender identity, gender expression, race, religious creed, color, national origin, ancestry, physical disability (including HIV and AIDS), mental disability, medical condition (including cancer), marital status, age (over 40), sexual orientation, or military and veteran status, and the denial of family care leave, in the award and performance of contracts and subcontracts, and to remove barriers for minority, women, disabled veteran, and LGBT business enterprises to compete for those contracts and subcontracts. VTA's program, formerly known as the Minority and Women-Owned Business Program, has been updated to include disabled veteran and LGBT business enterprises and has been re-named as the Business Diversity Program.

It is the policy of VTA to ensure non-discrimination in the award and administration of VTA contracts and to create a level playing field on which minority, women, disabled veteran, and LGBT businesses can fairly compete for VTA contracting opportunities.

It is the policy of VTA to enhance participation of women, minority, disabled veteran, and LGBT businesses in VTA contracts and subcontracts to the extent permitted by federal, state, and local regulations and requirements.

It is the policy of VTA not to contract or continue to contract with any business entity that engages in discriminatory conduct in the award and performance of contracts and subcontracts.

The Business Diversity Program has been developed to apply only to locally-funded projects with the goal of increasing participation and ensuring that women, minority, disabled veteran, and LGBT businesses are afforded an equal opportunity to compete for all VTA contracts and subcontracts.

Santa Clara Valley Transportation Authority	
Cindy Chavez, Board Chairperson anta Clara Valley Transportation Authority	Date

#### **SUBPART A – GENERAL REQUIREMENTS**

#### A. Objectives

The objectives are found in the policy statement on the first page of this program.

#### **B.** Applicability

The Business Diversity Program ("Program") applies to locally-funded contracts. *VTA* shall implement a business diversity program that ensures equal opportunity for MBE, WBE, DVBE, and/or LGBTBE in the area of public contracting. This Program sets forth the policies and procedures to be implemented by *VTA* to ensure that minority, women, disabled veteran, and LGBT businesses shall have an equal opportunity to participate in all *VTA* non-federally funded contracts.

#### C. Authority

*VTA* 's policy on MBE and WBE Program, adopted on August 29, 2014 and updated and re-named on May 5, 2015 to include DVBE, and LGBTBE.

#### D. Program Requirements

VTA will ensure that the following clause is placed in every non-federally funded contract and subcontract:

During the performance of this contract, contractor and its subcontractors shall not unlawfully discriminate, harass or allow harassment against any employee or applicant for employment because of sex, gender, gender identity, gender expression, race, religious creed, color, national origin, ancestry, physical disability (including HIV and AIDS), mental disability, medical condition (including cancer), marital status, age (over 40), sexual orientation, or military and veteran status, and the denial of family care leave. Failure by the contractor to comply with the program requirements will be considered a breach of the contract, which may result in the termination of this contract or such other remedy as **VTA** deems appropriate.

#### E. Definitions

VTA will adopt the following definitions for this Program:

<u>Disadvantaged Business Enterprise</u> (DBE) – a for-profit small business that is (1) at least 51% owned by one or more individuals who are both socially and economically disadvantaged or, in the case of a corporation, in which 51% of the stock is owned by one or more such individuals; and (2) whose management and daily business operations are controlled by one or more socially and economically disadvantaged individuals who own it. <u>Any certified DBE that is owned and controlled by women or minority business enterprise is eligible to participate in the MBE or/and WBE program.</u>

<u>Disabled Veteran Business Enterprise (DVBE)</u> - as used herein means a business concern certified by the California Department of General Services (DGS).

Lesbian, Gay, Bisexual and/or Transgender Business Enterprise (LGBTBE) - as used herein means a business concern certified by the National Gay and Lesbian Chamber of Commerce and/or the California Public Utilities Commission Supplier Clearinghouse (CPUC).

MBE and/or WBE Directory – VTA's list of firms certified by VTA, which is used by VTA and its contractors to identify MBE and/or WBE potential contractors and subcontractors and suppliers. The MBE and/or WBE directory can be accessed at the website link at <a href="https://www.vta.org/osdb">www.vta.org/osdb</a>.

Minority Business Enterprise (MBE) and/or Women-Owned Business Enterprise (WBE) – A business entity that is operated and controlled by a minority or a woman.

a. The terms "operated and controlled" shall mean that the managerial and official staff of this entity shall be comprised of minority persons, sufficient in ratio and gross earnings to demonstrate that the business transactions are, in fact, controlled by minority persons; and that the primary power, direct or indirect, to influence the management of this entity shall rest with minority persons or a corporation, partnership, or sole proprietorship in which minority persons collectively own, operate, control and share in earnings of 51% or more of such an enterprise.

b. A minority person shall mean Black; Hispanic; Asian or Pacific Islanders; American Indians or Alaskan Natives; and women, regardless of race or ethnicity.

Other Business Enterprises (OBE) – Any business that is not an MBE, WBE, DVBE, or LGBTBE.

<u>Pre-Bid/Pre-Proposal Conference</u> – A meeting held by *VTA* prior to the bid/proposal closing date of a particular project for prospective bidders/proposers.

Small Business Enterprise (SBE) -Small Business Enterprise is defined by Small Business Administration ("SBA") as a small business that is independently owned and operated, is organized for profit, and is not dominant in its field. Depending on the industry, size standard eligibility is based on the average number of employees for the preceding twelve months or on sales volume averaged over a three-year period; and meets SBA's size standards of 13 CFR Part 121, established for types of economic activity, or industry, generally under the North American Industry Classification System (NAICS).

#### **SUBPART B - ADMINISTRATIVE REQUIREMENTS**

#### A. Business Diversity Program Updates

VTA General Manager will provide to the VTA Board of Directors ("Board") updates regarding significant changes in the Program.

#### **B.** Responsibility of the Business Diversity Program Implementation

VTA has designated the following individual as its Business Diversity Program Liaison Officer (BDPLO):

Sylvester Fadal

Deputy Director of Human Resources and Diversity Programs Santa Clara Valley Transportation Authority 3331 North First Street, Building B, San Jose, CA 95110 Phone: (408) 952-4102. Email: Sylvester.Fadal@vta.org

In that capacity, the BDPLO is responsible for implementing all aspects of the Business Diversity Program. The DBPLO has direct and independent access to the General Manager concerning Business Diversity Program matters. An organization chart displaying the DBPLO's position in the organization is found in Attachment A, "Organizational Chart."

The BDPLO is responsible for developing, implementing, and monitoring the Business Diversity Program, in coordination with other appropriate officials. The duties and responsibilities include the following:

- 1. Gather and report statistical data and other information as required.
- 2. Work with all departments for program compliance.
- 3. Ensure that bid notices and requests for proposals are available to MBEs, WBEs, DVBEs, and LGBTBEs in a timely manner.
- 4. Identify contracts and procurements so that MBEs, WBEs, DVBEs, and LGBTBEs are included to the same level as Other Business Enterprise (OBE) in solicitations.
- 5. Analyze *VTA*'s progress toward attainment and identifies ways to improve progress.
- 6. Advise the General Manager and/or *VTA* Board of Directors on MBE, WBE, DVBE, and LGBTBE matters and achievement.
- 7. Provide the same level of service to MBEs, WBEs, DVBEs, and LGBTBEs with information and assistance as the level provided to OBEs in preparing bids and obtaining bonding and insurance.
- 8. Plan and participate in MBE, WBE, DVBE, and LGBTBE training seminars.
- 9. Certify MBEs, WBEs according to the certification criteria of the Business Diversity Program. Accept certification of DVBEs and LGBTBEs from Department of General Services (DGS), Small Business Administration (SBA), National Gay and Lesbian Chamber of Commerce, and/or the CPUC Supplier Clearinghouse database.
- 10. Provide outreach to MBEs, WBEs, DVBEs and LGBTBEs community organizations to advise them of opportunities to the same extent provided to OBEs.
- 11. Maintain VTA's updated directory on certified MBEs and WBEs.

#### C. MBE and WBE Directory

VTA administers a full MBE and WBE certification program. MBE and WBE certification activities are updated monthly. Only firms that are certified by the VTA OSDB are included in the VTA MBE and WBE database. The directory lists the firm's name, address, phone number, date of the most recent certification, and the type of work the firm has been certified to perform as a MBE and WBE. Interested persons can contact the VTA BDPLO for more information about this Directory and/or obtain access at <a href="https://www.vta.org/osdb">www.vta.org/osdb</a>.

#### D. Record Keeping Requirements

The OSDB Department will monitor the VTA's MBE, WBE, DVBE, and LGBTBE contracts to ensure that the contractors are in compliance with the requirements and regulations of the MBE, WBE, DVBE, and LGBTBE program. OSDB staff will report MBE, WBE, DVBE, and LGBTBE participation to the General Manager using the Uniform Report of MBE, WBE, DVBE, and LGBTBE Awards or Commitments and Payments. The report is generated from the web-based Diversity Tracking System, B2GNow. See Attachment B, "Sample Uniform Report of MBE, WBE, DVBE, and LGBTBE Awards or Commitments/Payments."

#### Bidders List

VTA will create a bidders' list consisting of information on firms that bid on VTA contracts. The purpose of this requirement is to allow use of the bidders' list as historical participation information and information that may be considered in the Business Diversity Program. The bidders' list will include the name, address, certification status, age, and annual gross receipts of firms.

**VTA** collects this information on the form appended as **Attachment C**, "Form 4A – Supplemental Contractor/Proposer and Subcontractor Information" and/or **Attachment D**, "Listing of MBE, WBE, DVBE, and/or LGBTBE Contractor or Subcontractors," which is provided in all solicitations to bidders/proposers. The form directs all respondents and their subcontractors to report bidders' list information on the form and to submit Form 4A with its bids or proposal documents.

#### Information, Confidentiality, and Cooperation

Except as required to be disclosed by federal, state, or local law, *VTA* will safeguard from disclosure to third parties information that has been reasonably identified as confidential business information.

VTA will require contractors to maintain records and documents of payments to MBEs, WBEs, DVBEs, and LGBTBEs for 3 years following the performance of the contract. VTA will perform interim audits of contract payments to MBEs, WBEs, DVBEs, and/or LGBTBEs. The audit will review payments to MBE, WBE, DVBE, and/or LGBTBE subcontractors to ensure that the actual amount paid to MBE, WBE, DVBE, and/or LGBTBE subcontractors equals or exceeds the dollar amounts stated in the contract.

#### E. Public Outreach

*VTA* shall make every effort to outreach to all businesses and provide training to help remove barriers in VTA procurement. This includes outreach events with other Bay Area agencies, municipalities and community-based organizations to leverage its efforts to ensure that MBE, WBE, DVBE, and LGBTBE firms have a fair opportunity to compete.

#### SUBPART C – BUSINESS DIVERSITY PROGRAM POLICY

**A.** Accountability - The OSDB Department will monitor *VTA*'s contracts to ensure that contractors are in compliance with the Business Diversity Program policy. The Uniform Report of MBE, WBE, DVBE, and LGBTBE Awards or Commitments and Payments are generated from the web-based Diversity Tracking System, B2GNow.

#### **B.** Affirmation of Non-Discrimination

The successful bidder/proposer shall sign an affidavit and questionnaire that it has not discriminated against MBE, WBE, DVBE, and LGBTBE.

The BDPLO is responsible for determining whether a bidder/proposer has documented sufficient information that it has not discriminated against MBE, WBE, DVBE, and LGBTBE.

#### Administrative Reconsideration

Within 3 days of being informed by *VTA* that a bidder/proposer is not responsive because it has not documented sufficient non-discrimination information, a bidder/proposer may request administrative reconsideration. Bidder/proposers shall make this request in writing to:

#### Sylvester Fadal

Deputy Director of Human Resources and Diversity Programs Santa Clara Valley Transportation Authority 3331 North First Street, Building B, San Jose, CA 95110 Phone: (408) 952-4102. Email: Sylvester.Fadal@vta.org

As part of this reconsideration, the bidder/proposer will have the opportunity to provide written documentation or argument concerning the issue of whether it made adequate documentation that it has not discriminated against MBE, WBE, DVBE, and/or LGBTBE business enterprises. In addition, the bidder/proposer can request to meet in person with the *VTA* BDPLO to discuss the issue of whether it made adequate documentation. *VTA* will send the bidder/proposer a written decision on reconsideration, explaining the basis for VTA's finding regarding whether the bidder provided adequate documentation.

#### C. Counting MBE, WBE, DVBE, and LGBTBE Participation

MBEs, WBEs, DVBEs, and LGBTBEs may perform as Contractors, subcontractors to a Contractor (1st tier), or subcontractor to subcontractor (2nd tier). Only the value of the work actually performed by the MBE, WBE, DVBE, and LGBTBE, including materials and supplies, will be counted.

In a joint venture, only the portion of the total dollar value of the contract equal to the distinct, clearly-defined portion of the work, of the contract that the MBE, WBE, DVBE, and LGBTBE performs with its own forces will be counted. During the life of a contract, work performed by MWBE, DVBE, and LGBTBE firms whose certification has expired will not continue to be counted. Only work performed by validly-certified MWBE, DVBE, and LGBTBE firm(s) will be counted.

#### D. Quarterly MBE, WBE, DVBE, and LGBTBE Utilization Report

Contractors are required to submit quarterly MWBE, DVBE, and LGBTBE Utilization Reports electronically to the *VTA* OSDB. These quarterly reports shall be submitted electronically, and the Contractor will document the dollar value of payments to MBE, WBE, DVBE, and LGBTBE firms and the percentage of the contract completed.

This system is web-based, accessible from any computer via the internet at <a href="https://www.vta.org/osdb">www.vta.org/osdb</a> The Contractor will use his/her email address as the username on the LogOn screen and request a password before log on. Instructions on how to use the system will be sent with the reporting request. Training will also be provided upon request. The Contractor will include this reporting requirement in all of its subcontracts and purchase orders when required to provide or verify MWBE, DVBE, and LGBTBE utilization documentation.

If the MBE, WBE, DVBE, and LGBTBE Utilization Reports indicate potential problems, the Contractor shall meet with the appropriate *VTA* representative(s) to address any deficiencies and discuss appropriate corrective actions.

Prior to final payment, Contractor will be required to submit a final MBE, WBE, DVBE, and LGBTBE Utilization Report by selecting the "Final Audit" reporting designation within B2GNow database system. In addition to payments to MBEs, WBEs, DVBEs, and LGBTBEs, the final report must include payments to other businesses subcontractors, suppliers of materials, trucking firms, consultants, and others.

#### SUBPART D – CERTIFICATION STANDARDS AND PROCEDURES

#### A. DVBE and LGBTBE Certification Reciprocity

VTA will accept DVBE, and LGBTBE certification from the California Department of General Services (DGS), Small Business Administration (SBA), California Public Utilities Supplier Clearinghouse, National Gay and Lesbian Chamber of Commerce (NGLCC), or certification eligibility as determined by VTA's OSDB.

#### B. VTA MBE and WBE Certification Process

**VTA** will use certification standards to determine the eligibility of firms to participate as MBEs and WBEs in **VTA** contracts. To be certified as a MBE and WBE, a firm must meet all certification eligibility standards. For information about the certification process or to apply for certification, firms should contact:

Liz Brazil, DBE Program Manager Santa Clara Valley Transportation Authority 3331 North First Street, Building B, San Jose, CA 95134 Phone: (408) 321-5874 Email: Liz.Brazil@yta.org

The certification application forms and documentation requirements are found at www.vta.org/osdb. The certification review process includes, but is not limited to:

- 1. Preliminary Review Submitted documents are checked for completeness. All applications must be signed. Applications not signed will be returned.
- 2. Desk Audit Supporting documents are reviewed and additional information may be requested to ensure that it meets the Program criteria.
- 3. Final Recommendation A recommendation for approval or denial is made after a thorough review of the application and submitted documents.
- 4. All certifications are valid until a firm is de-certified if it no longer meets eligibility standards. Certified firms are subject to renewal review after 5 years. An MBE and WBE Renewal Application is required from MBE and WBE certified firms to confirm their continued eligibility.

#### C. Certification Eligibility Standards

Firms certified eligible by VTA's OSDB and firms accepted as MBE- and/or WBE-certified by another agency are eligible to participate in VTA's MBE and WBE Program.

- 1. The MBE and WBE certification program is intended to support participation in *VTA* contracts by businesses owned and controlled by minority and women business owners. VTA shall ensure that the MBE and WBE Program supports businesses which are owned and controlled, in both form and substance, by small business owners and that the ownership and control by minority and women business owners is real and substantial.
- 2. Firms seeking MBE and WBE certification shall cooperate fully with *VTA*'s request for information relevant to the certification process. *VTA* may

consider, in making certification decisions, whether a firm has exhibited a pattern of conduct indicating its involvement in attempts to evade or subvert the intent or requirements of the Business Diversity Program. Failure or refusal to provide such information may be grounds for denial or removal of certification.

3. An MBE and WBE is a for-profit business that has demonstrated, by a preponderance of evidence, that it satisfies the following MBE and WBE program certification standards.

#### Quality of Ownership

The ownership by each of these individuals must be real, substantial and continuing, going beyond pro forma ownership, as represented in merely the ownership documents.

#### Ownership Discretion and Control

- a. The owner(s) should be able to demonstrate the basic decisions pertaining to the daily operations of the business are independently made.
- b. The owner(s) should have some technical competence in the industry for which certification is sought. Technical competence does not mean expert knowledge. It does mean the qualifying owners should have a working knowledge of the technical requirements of the business needed to operate in the industry.
- c. The business must be independent. Its viability must not depend on a relationship with another firm or firms.
- d. The owner(s) should be able to demonstrate that basic decisions pertaining to the daily operations of the business are independently made.
- e. The business must not be subject to any formal or informal restrictions that limit the customary discretion of the owner(s).
- f. The owner(s) must possess the power to direct or change the direction of the management and policies of the firm, and to make day-to-day as well as major and long-term decisions on matters of management policy and operations.
- g. The owner(s) may delegate authority, but such delegations must be revocable and the owners must retain a managerial role and the power to hire and separate from employment the person to whom they delegate.
- h. The owner(s) must have an overall understanding of, and managerial, technical competence and experience directly related to the type of work in each industry the firm is doing business in and the firm's operations.
- i. Owner(s) must possess all the state or locally required licenses or credentials.
- j. Owner(s) must work in the business in order to be considered as controlling the firm. They cannot engage in outside employment or other business interests that conflict with managing the firm, unless the firm is itself a part-time business.

#### Subsequent Changes in Ownership and/or Control

Applicants are evaluated on the basis of documentation submitted at the time of certification. Any changes contemplated in the ownership and/or control of the firm or the documentation submitted with the application for certification, including but not limited to those set forth below, must be fully disclosed at the time of application:

- 1. Changes in ownership, amendments, modifications, additions, deletions, revisions:
- 2. Execution of new agreements, board and/or shareholders' resolutions,

- memoranda of understanding;
- 3. Consolidation, liquidation, reorganization, merger;
- 4. Election of new officers and/or directors, appointment of new principals and/or key personnel;
- 5. The purchase and/or sale, new issues of shares; and
- 6. The purchase or sale of the entire business.

#### D. Certification Appeals and Removals

#### **Appeals**

- a. If **VTA** initially determines that an applicant firm does not meet the eligibility requirements for MBE and/or WBE certification, **VTA** shall notify the applicant firm, in writing, of its findings and the basis for the denial of certification.
- b. Any firm that disagrees with *VTA*'s denial of its certification may file an appeal with *VTA*, in writing, signed and dated, within 10 working days of the denial. The appeal must include the reasons why the applicant disagrees with *VTA*'s denial of the certification and should include any additional documentation to support the appeal.
- c. In appeal proceedings, the applicant has the burden of proof to demonstrate, by a preponderance of evidence, that the business is eligible. *VTA* may require the firm to produce additional documentation to support its certification eligibility.
- d. After considering an appeal, with all relevant information, **VTA** shall make one of the following determinations and inform the MBE and/or WBE in writing of the determination:
  - 1) The MBE and/or WBE application denial is reversed and the firm is certified; or
  - 2) The applicant's denial of certification by VTA is upheld; or
  - 3) The MBE and/or WBE application denial is remanded back to OSDB for further review.

If the denial of certification is upheld, the decision by VTA is administratively final.

#### Removals of Certification

A certified MBE and/or WBE may be removed for ineligibility, for lack of cooperation, or at the wishes of the certified MBE and/or WBE. When a firm's eligibility is removed, the burden of proof for removal of certification shall be on **VTA**.

In a removal of certification for ineligibility, *VTA* must ensure that the decision to remove a firm's MBE and/or WBE certification is made by a *VTA* representative other than those who participated in actions leading to the removal of the firm. *VTA* has designated the OSDB Manager or her/his designee to hear appeals for removals due to ineligibility.

#### Renewal of Certification

A firm denied certification or who has had its certification removed under these provisions shall be permitted to re-apply for certification after a period of 1 year following the date of initial denial or removal.

#### SUBPART E – COMPLIANCE AND ENFORCEMENT

**VTA** has available several remedies to enforce compliance with the Business Diversity Program requirements contained in its contracts, including, but not limited to, the following:

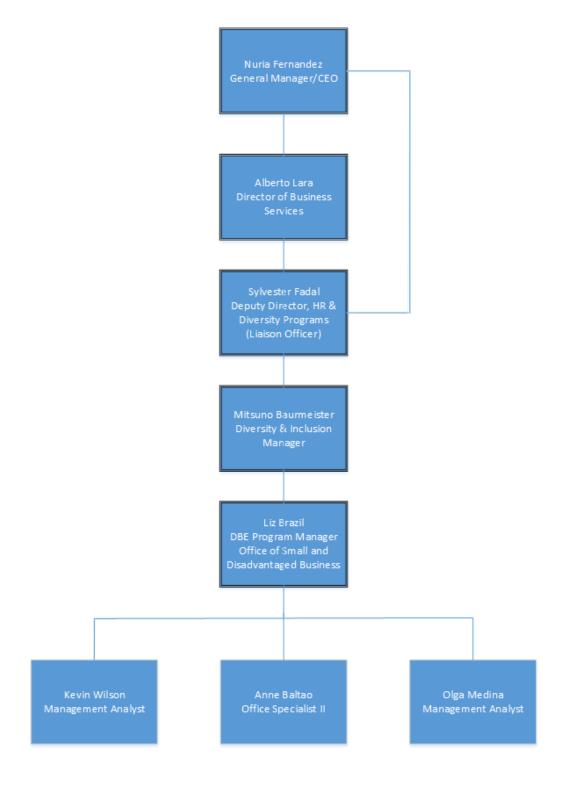
- 1. Breach of contract action, pursuant to the terms of the contract.
- 2. Any other available remedy.

**VTA** has implemented the following monitoring mechanisms to ensure compliance with Business Diversity Program requirements:

- 1. *VTA* will verify that work committed to MBEs, WBEs, DVBEs, and LGBTBEs at contract award is actually performed by the MBEs, WBEs, DVBES and LGBTBEs. This will be accomplished by direct observation, interviews, and review of submitted documents.
- 2. **VTA** will keep a running tally of actual payments to MBE, WBE, DVBE, and LGBTBE firms for work committed to them at the time of contract award with the use of **VTA**'s Diversity Tracking System

### ATTACHMENT A Organizational Chart

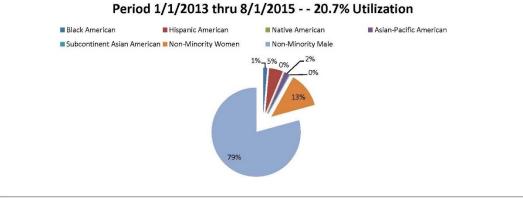
#### ORGANIZATIONAL CHART



#### **ATTACHMENT B**

# Sample Uniform Report of MBE, WBE, DVBE, and LGBTBE Awards or Commitments/Payments

BREAKDOWN BY ETHNICITY &		Contracts Awarded to DBEs this Period (1/1/2013 - 8/1/2015)						
GENDER	- F	А	В	С	D	E	F	
		Total to DBE (dollar amount)			Total to DBE (number)			
	Sub	Women	Men	Total	Women	Men	Total	
Black American	\$3,399,142	\$429,375	\$2,969,767	\$3,399,142	2	8	10	
Hispanic American	\$12,446,459	\$1,180,291	\$11,266,168	\$12,446,459	5	28	33	
Native American	\$33,222	\$33,222	-	\$33,222	1	0	1	
Asian-Pacific American	\$4,320,905	\$1,291,855	\$3,029,050	\$4,320,905	5	15	20	
Subcontinent Asian American	\$142,000	\$141,000	\$1,000	\$142,000	1	1	2	
Non-Minority Women	\$31,890,285	\$31,890,285		\$31,890,285	26	43	69	
Non-Minority Male	\$199,662,244	121	14	\$19,716,701	27	0	27	
TOTAL	\$251,894,257	\$34,966,028	\$17,265,985	\$52,232,013	40	95	141	



# ATTACHMENT C Form 4A – Supplemental Contractor/ proposer and Subcontractor Information

The form shall be copied by the bidder and distributed to all bidders. The completed forms are to be submitted at time of bid submittal

Date:						
Contract Name & Number						
Firm Name:						
Firm Address:						
Phone #:						
Fax #:						
Age of Firm:						
(Check one) Annual Gross Receipts						
Indicate bracket of income	Below \$500K	\$500K - \$1M	\$1M - \$4M	\$4M - \$6M	\$6 - \$13M	Above \$13M
Check one: MBE_ Ethnicity  Category_ *A= Asian, Al=Asian Indian  Completed by:  Email address:  To be completed by bidde  Was this firm sele  If yes, the dollar w  The description o	n, B=Black, C	E=Caucasian,	Work/Trade H=Hispanic	, <b>NA=Native</b> or this contra	American, (	D=Other

VTA, Office of Small & Disadvantaged Businesses 3331 North First Street, Building A, San Jose, CA 95134-1927 If you require additional forms or information, call (408) 321-5962

# ATTACHMENT D FORM 4 - LISTING OF MBE/WBE/DVBE/LGBTBE CONTRACTOR OR SUBCONTRACTORS

Firm (Contractor):	Phone/ Fa	x:		
MBE:Y/N WBE:Y/N DVI	BE:Y/N LGB1	ГВЕ:Y/N Age of	Firm:	
Street Address:	Name & <sup>-</sup>	Title:		
City, State, Zip:	Signature	/ Date:		
Contract dollar value must exclude work purchased and used in this contract.	k performed by non-l	MBEs/WBEs/SBE/DBI	Es except ma	terials or equipment
<b>CREDIT FOR MBE, WBE, DVBE, and LGBT</b> for materials and supplies required under given at 100%.		• • • • • • • • • • • • • • • • • • • •		•
<b>CREDIT FOR MBE, WBE, DVBE, and LGE</b> commissions of the amount paid. All oth DVBE, and LGBTBE to other firms.	· ·	•	•	
<b>CREDIT FOR SBE TRUCKING FIRMS</b> is limited and drivers and by certified MBE, WBE, trucking firm must itself own and operate in	DVBE, and LGBTBE t	rucking sub haulers.	A MBE, WBE	, DVBE, and LGBTBE
A MBE, WBE, DVBE, and/or LGBTBE r Certified by VTA.	must be certified or	accepted as		
,	Certification	Agency	Age of	Dollar Value
Name & Address of Certified SBE	Number	Certifying	Firm	Of Contract
1			1	
2				
3				
<u>4</u> 5				
3	Description of	F Work		
1	Description of	VVOIK		
2				
3				
4				
•				

IMPORTANT! THIS FORM MUST BE SUBMITTED WITH YOUR BID/PROPOSAL

**Total Contract Amount** 

# Disadvantaged Business Enterprise (DBE) Program Update

Office of Small and Disadvantaged Businesses (OSDB)

Diversity and Inclusion Department



# **DBE Goal Setting and Methodology**



Contract-specific goals are set when there are subcontracting opportunities

Goals are based on the available DBEs who are willing, ready and able to perform the work within the market area

### Step I:

Number of Ready, Willing and Able DBEs (CUCP Database)

All firms, [DBEs and Non-DBEs] (Census Bureau)

### **Step II:**

Examine evidence such as historical data, disparity study, capacity of DBEs to perform work.

# **DBE Program Status Update**



### 13% DBE Benchmark Overall Goal

- DBE Overall Goal Attainment 16.16%
- 158 DBE Businesses awarded contracts worth \$167 million
- 22 Pending Certifications Decisions

# VTA's BART Silicon Valley Project DBE Program Status Update



13% DBE Benchmark Overall Goal

- 8 Construction Contracts DBE Goal Attainment 16.05%
- 85 DBEs and 47 Small Businesses
- Total DBE Contract Payment of \$113 million



# Minority and Women Owned Business Enterprise (MWBE) Program Update

Office of Small and Disadvantaged Businesses (OSDB)

Diversity and Inclusion Department

# MWBE Update (Adopted August 2014)



## 18% MWBE Aspirational Goal

- MWBE Attainment 30%
- 15 MWBE Businesses awarded contracts worth \$6.67 Million
- 50 Certified MWBE Firms
- 9 Pending Certification Decisions

# Next Steps



## **Business Diversity Program**

- Expand existing Minority and Women Business Enterprise (MWBE) Program to include Disabled Veteran Business Enterprise (DVBE) and Lesbian, Gay, Bisexual and Transgender Business Enterprise (LGBTBE) Program
- Rename MWBE Program to Business Diversity Program



Date: April 26, 2016
Current Meeting: May 5, 2016
Board Meeting: May 5, 2016

#### **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:** Next Network: Light Rail Service Plan

#### FOR INFORMATION ONLY

#### **BACKGROUND:**

In 2017, the BART to Silicon Valley Phase I extension will be complete and VTA will adjust both Light Rail and Bus services to better serve the VTA-BART connections at the Milpitas and Berryessa BART stations. The VTA Light Rail to BART connection will be at the Montague Light Rail station, and VTA will modify the light rail service plan to better serve this connection as well as the ongoing needs of Santa Clara Valley residents and workers.

As part of the 2010 Light Rail Systems Analysis, a new service plan was recommended that had a number of changes including a new line of service from Mountain View to Alum Rock Light Rail Stations, turning a portion of trains around in downtown San Jose, and an expansion of the Commuter Express service on Highway 87.

VTA had received a lot of feedback concerning the original 2010 recommendation, and in early 2015 staff re-examined the service plan. The new analysis focused on serving expected future travel patterns and improving service for existing riders. Considering both the updated knowledge on the near term 2017 land use projections and community feedback, staff began to develop a new service plan.

#### **DISCUSSION:**

The Next Network: Light Rail Service Plan is being developed to best serve new light rail trips to and from the BART connection at the Montague Light Rail Station and improve existing light rail trips within Santa Clara County. Staff analyzed existing ridership patterns and utilized VTA's travel demand model to estimate the strongest potential travel patterns using the light rail system. This data was used to develop a number of potential operating plans for the Next Network. These operating plans considered many different service changes including but not limited to:

- New Tasman Line from Mountain View to Alum Rock
- A Tasman Express service between Mountain View and Santa Clara, different combinations of stops (Middlefield, Lockheed Martin, and Fair Oaks) have been examined
- Expanding the existing Commuter Express service on Highway 87
- An all-day Commuter Express service on Highway 87
- Routing trains from Almaden up through Downtown San Jose
- Turning back Winchester trains in Downtown San Jose
- Turning back Winchester trains at Civic Center
- Turning back Winchester trains at Baypointe

#### **Scenario Descriptions**

Each service change was then assessed based on ridership, operating cost, and operating feasibility. The highest performing service changes were then packaged into a final set of three Scenarios (Attachment A) which are being carried forward into a final analysis.

Various express services and frequency increases were evaluated as part of this process and three enhancements were considered to be both operationally feasible and improve ridership. Depending on available budget and service needs, each Scenario below can also include up to three of these service enhancements:

- Expansion of the Commuter Express on Highway 87 This would change the existing service, which is currently three trips each peak period between Santa Teresa and Baypointe, to a shorter service which only travels between Santa Teresa and Downtown San Jose. Shortening this service would allow the frequency to be increased to six trips per peak period, for an operating cost similar to the existing express service. Analysis of the existing express service has found that approximately 75% ons and offs on the express service occur between the Santa Teresa and St. James stations.
- Tasman Express service This would operate an express service from the Mountain View Light Rail Station to the Old Ironsides Light Rail Station, with three stops in between, Middlefield, Lockheed Martin, and Fair Oaks. These stations were chosen because they offered a high ridership potential with only a small impact to running times. This express service would only be operated during peak periods.
- 15 minute midday frequency on the Winchester Line This would take the service originating from the Winchester Station, which is currently running at 30-minute frequency during midday, to 15-minute all day frequency. The Winchester line has shown strong midday ridership potential, and this increase in service could be implemented with a relatively low operating cost increase.

The three scenarios are described below in their base form, without any of the enhancements above. Which enhancements can be added to each scenario will also be noted.

**Scenario 1** would maintain our existing service but would also add a new line from Mountain View to Old Ironsides. This would increase the service to the BART connection at the Montague

light rail and would allow for a direct trip between BART and Levis Stadium. Scenario 1 could include both the expansion of the Commuter Express, Tasman Express, and 15 minute off peak frequencies on the Winchester line. The Tasman Express would be added to the end of the new Alum Rock to Old Ironsides line. Scenario 1 is estimated to have a medium ridership increase and a medium estimated operating cost increase.

Scenario 2 is similar to Scenario 1 but with one major difference. Scenario 2 would feature a new line from Alum Rock to Mountain View, operating all day and making every stop. The Existing Winchester to Mountain View line would then be changed to a Winchester to Old Ironsides Line. There would be no changes to the existing Santa Teresa to Alum Rock service and the existing Almaden Service. Scenario 2 could include both the expansion of the Commuter Express, Tasman Express, and 15 minute off peak frequencies on the Winchester line. The Tasman Express service could be added to the Winchester to Old Ironsides line. Scenario 2 would have a higher estimated ridership increase than Scenario 1, but would have approximately the same operating cost.

Scenario 3 is similar to scenario 2. It includes a new line of service from Alum Rock to Mountain View, and it changes the existing Winchester to Mountain View line, but unlike scenario 2 which changes the terminus to Old Ironsides, the northern terminus of the Winchester line would now be Baypointe. There would be no changes to the existing Santa Teresa to Alum Rock service and the existing Almaden Service. Scenario 2 could include both the expansion of the Commuter Express and 15 minute off peak frequencies on the Winchester line, but could not include the Tasman Express because there is only one Line of service serving the light rail System between Mountain View and Old Ironsides. This scenario would also not have a direct connection between Downtown San Jose and Levi's Stadium and would require passengers to transfer at Baypointe to make that trip. This service would have a lower estimated ridership than Scenario 2, but higher than Scenario 1, but would also have a low estimated operating cost.

#### **Next Steps**

Staff will carry all or some of the above three scenarios forward and in the spring and begin an extensive community outreach program as part of the Transit Ridership Improvement Program (TRIP). Community input will be used to assess each scenario as well as determine which express and frequency options each should include. Staff will return to the Board and Committee later this year to report on this outreach effort and to decide on how to proceed. The goal is to have the Board adopt the Next Network in early 2017, with revenue service beginning with the opening of the BART to Silicon Valley Phase I extension.

#### ADVISORY COMMITTEE DISCUSSION/RECOMMENDATION

The Citizens Advisory Committee received this information item at the February 10, 2016 meeting. Members of the Committee had the following questions and comments: 1) The original Plan showed one stop on the express service between Mountain View and Old Ironsides, the current Plan shows three stops 2) Some of the land uses near some of the stations on the Tasman West line are not really conducive to transit, has VTA considered Station closures? 3) The Stations along the Vasona line have healthier ridership than they realized, it may be beneficial to consider the light rail extension to Vasona 4) There are three extension items on Measure A (Vasona Extension, Eastridge Extension, and Airport Connector) and we have not started construction on any of them.

Staff responded with the following: 1) Staff had looked at the express service on Tasman and found that adding Fair Oaks and Middlefield would improve ridership without significantly adding additional running time to the service; 2) This specific effort focused on the near term service plan and Station Closures were not considered as part of this plan; and 3) This specific effort focused on the near term service plan and long term extensions were not considered as part of this plan.

The Technical Advisory Committee received this information item at the February 11, 2016 meeting. Members of the Committee had the following questions and comments: 1) The original Plan showed one stop on the express service between Mountain View and Old Ironsides, the current Plan shows three stops 2) When the Mountain View Double Track was constructed, VTA promised to do a traffic analysis if the number of trains crossing Central Expressway increases, will VTA conduct a traffic analysis?

Staff responded with the following: 1) Staff had looked at the express service on Tasman and found that adding Fair Oaks and Middlefield would improve ridership without significantly adding additional running time to the service 2) some scenarios do not include a second line along Tasman West, and if there is not a second line it would not increase the number of trains crossing Central Expressway.

The Policy Advisory Committee received this information item at the February 11, 2016 meeting. Members of the Committee had the following questions and comments: 1) how many of the new jobs in Sunnyvale do we expect to take Light Rail? 2) What is the high ridership occupancy of our system and what are our ridership goals? 3) What is the timeframe for these improvements? 4) PAC would like to have input on what the goals are for our system? 5) How is this service getting people from BART over to jobs more quickly, are there bus routes on Highway 237 and would it be faster to take a bus from BART rather than light rail? 6) How close are the Vasona line estimates to existing ridership, and what is the purpose of increasing the frequency and purpose of turning back trains around before Tasman? 7) How do people currently get to Light Rail 8) have we done any analysis on farebox recovery? 9) The no project number shows a lot of growth by doing nothing.

Staff responded with the following: 1) Staff does not have an estimate at this time, but the Lockheed Martin Light Rail Station is the closest station to the Moffett Park Area, and the Lockheed Martin station is estimated to have a large ridership increase. Staff confirmed that near-term developments were accounted for in the modeling analysis; 2) Our express trains are some of the fullest trains on our system but we do not have any set goals for the ridership; 3) The new service plan will be implemented when the BART to Berryessa extension opens; 4) comment was noted; 5) The new line of service would be a direct connection from BART over to western job centers and staff believes taking Light Rail would still be faster; 6) Staff believes the future estimates are pretty close to existing ridership, the increase in frequency is to promote ridership on that line, and turning back trains in the Tasman vicinity would save on operating costs; and 7) People currently take all modes to get to light rail stations and all of our end of line stations have park and ride lots 8) Staff have not done any analysis on farebox recovery for these operating plans.

#### STANDING COMMITTEE DISCUSSION/RECOMMENDATION

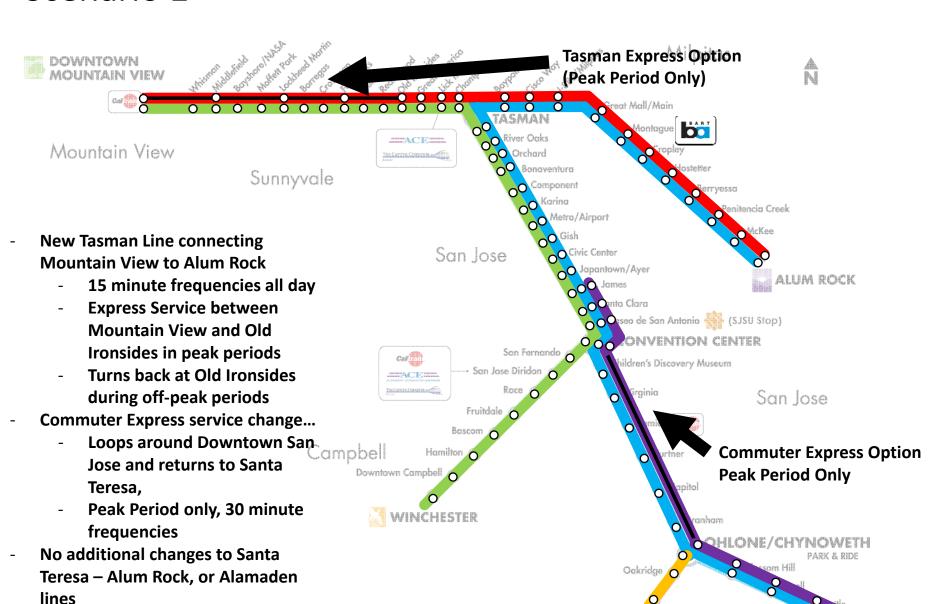
The Transit Planning and Operations Committee received this information item at the March 17, 2016 meeting. Members of the Committee had the following questions and comments: 1) What is the current time savings of the express service? 2) Which alternative is staff recommending? 3) Will there be any changes to service with the opening of the Warm Springs BART station?

Staff responded with the following: 1) On the Express it takes about 15 minutes to go from Ohlone/Chynoweth to Downtown San Jose, a savings of about 4 minutes; 2) Staff is recommending Scenario 2, and enhancements will be recommended pending operating cost considerations; and 3)There will be no changes to Light Rail service with the opening of the Warm Springs BART Station.

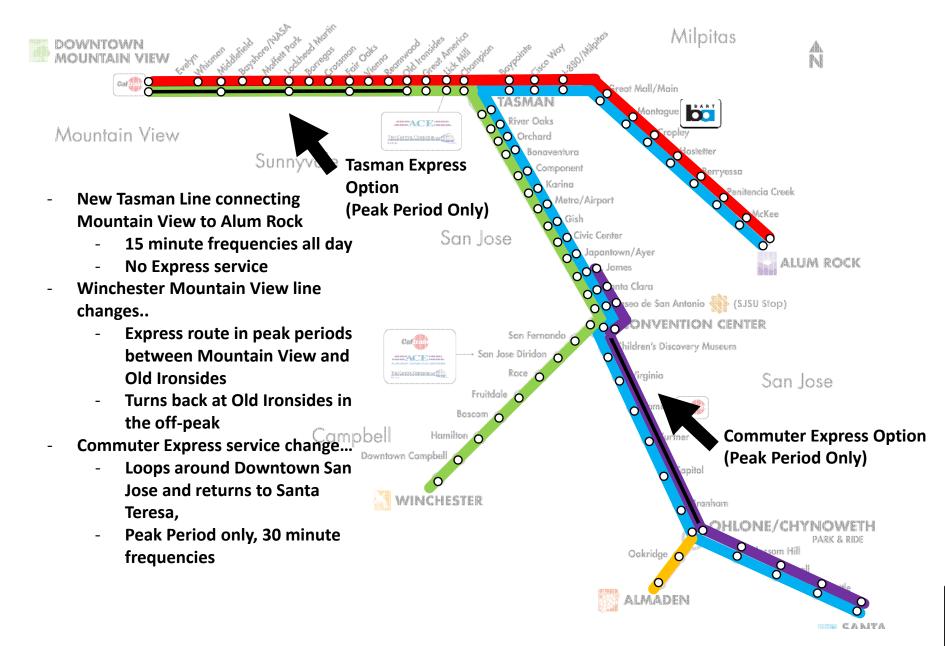
Prepared By: Jason Kim

Memo No. 5425

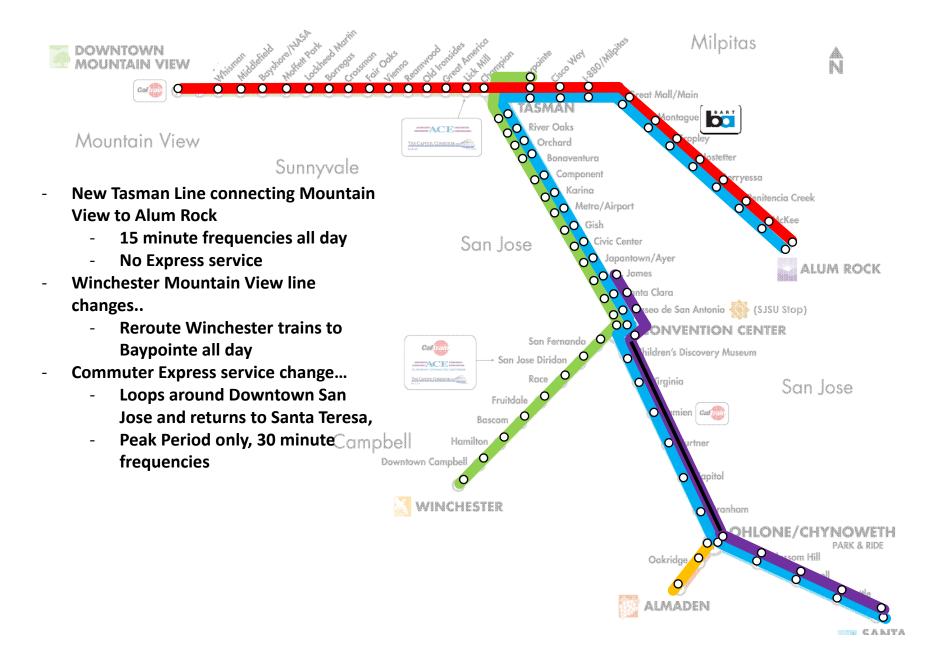
### Scenario 1



### Scenario 2



### Scenario 3

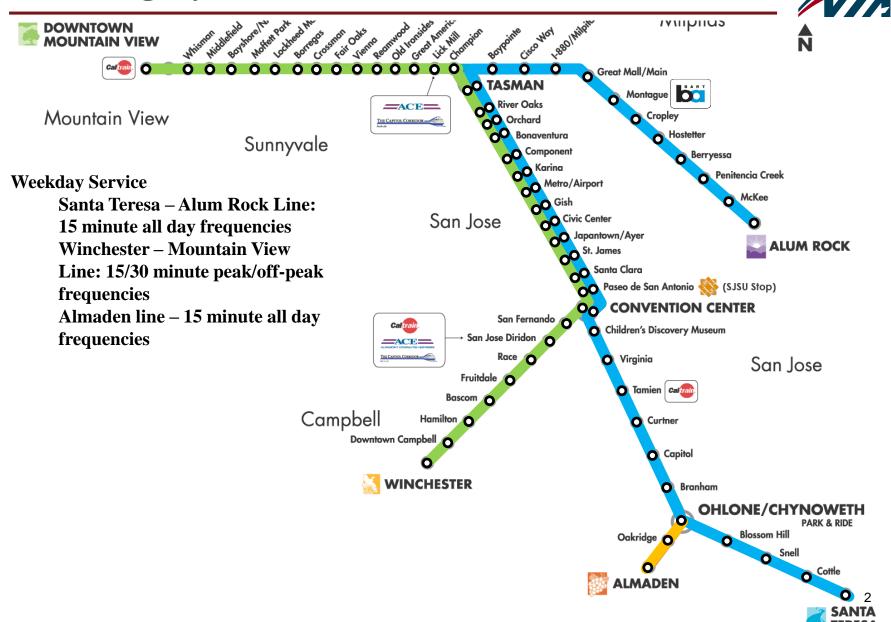


# Next Network Light Rail Service Plan

# May 2016 Board of Directors Meeting



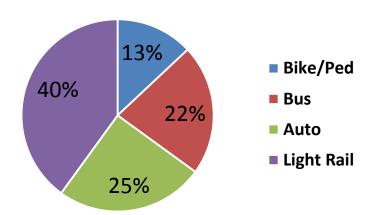
# **Existing System**



# **Milpitas BART Station**



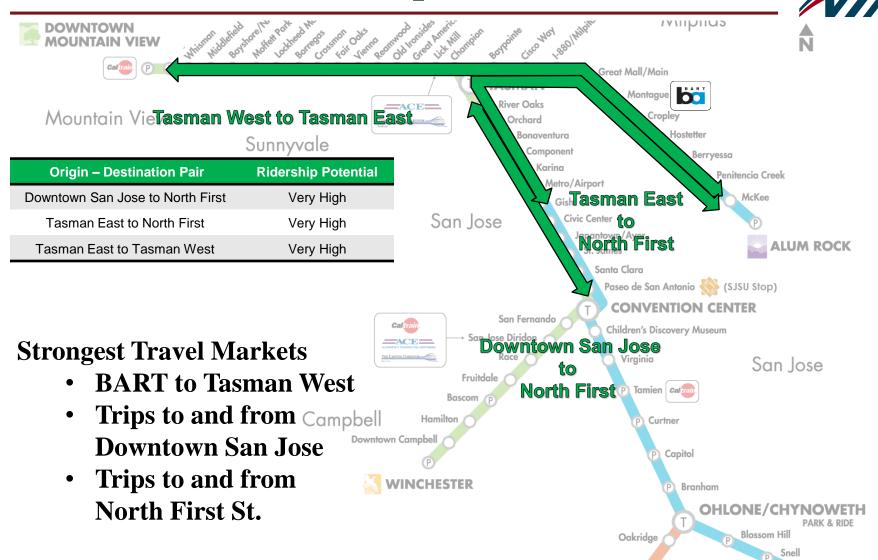
#### **Milpitas BART Mode of Access**







## **Future HIGH Ridership Potential**



Cottle

**ALMADEN** 

# **Future MEDIUM Ridership Potential**



**ALUM ROCK** 

Mountain Viev <b>Tasman W</b> S	est to North Firs
Origin – Destination Pair	Ridership Potential
Vasona to Downtown San Jose	High
Tasman West to North First	Medium High
Tasman East to Downtown San Jose	Medium High
HWY 85 to Downtown San Jose	Medium High

### **Strongest Travel Markets**

**MOUNTAIN VIEW** 

- BART to Tasman West
- Trips to and from Campbell Downtown San Jose
- Trips to and from North First St.



Tasman East

ntown San Jose

**ASMAN** 

MILLIA

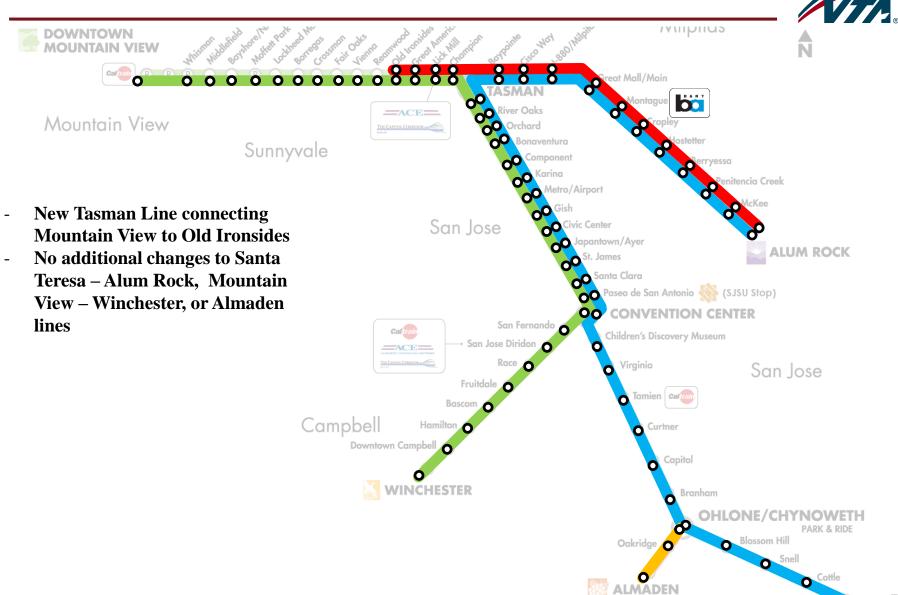
BART

# **Final 3 Scenarios**

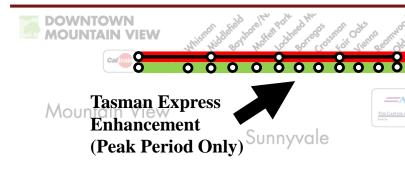


		Scenario 1	Scenario 2	Scenario 3		
	General Description	Adds Mountain View to Alum Rock Line to Existing Service	Medium changes, most trips would be unchanged	Major changes, many existing trips would be effected		
Base	Vasona Line turns back at	Mountain View	Old Ironsides or Mountain View	Baypointe		
	New Tasman Line	Alum Rock to Mountain View or Old Ironsides	Alum Rock to Mountain View	Alum Rock to Mountain View		
Enhancements	Commuter Express	Yes	Yes	Yes		
	Tasman Express	Yes	Yes	No		
	Vasona Line Frequency	Yes	Yes	Yes		

### Scenario 1 Base

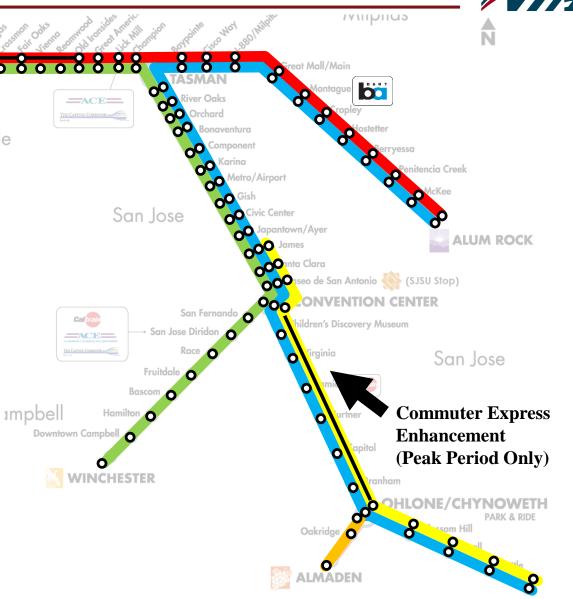


### Scenario 1+

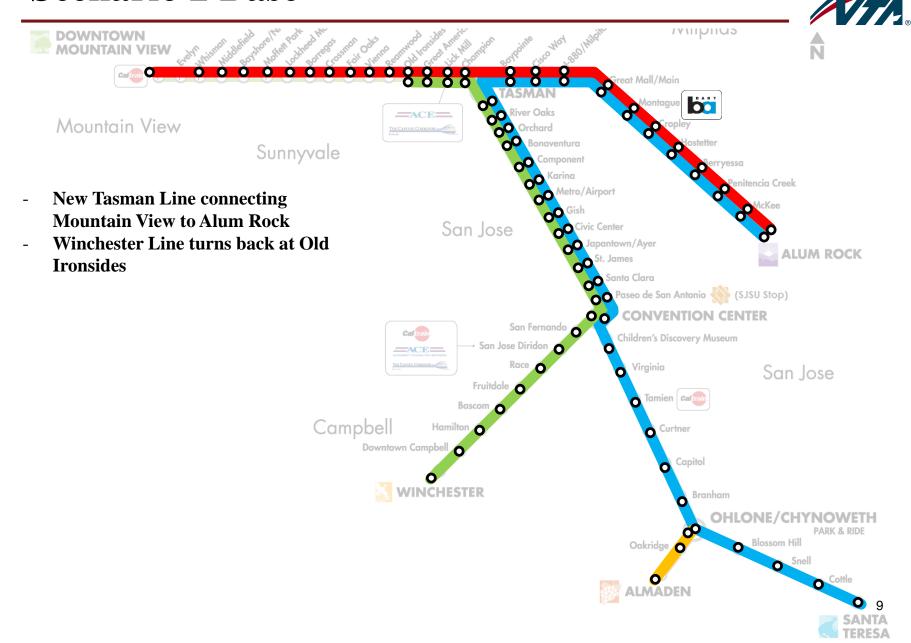


#### **Enhancements**

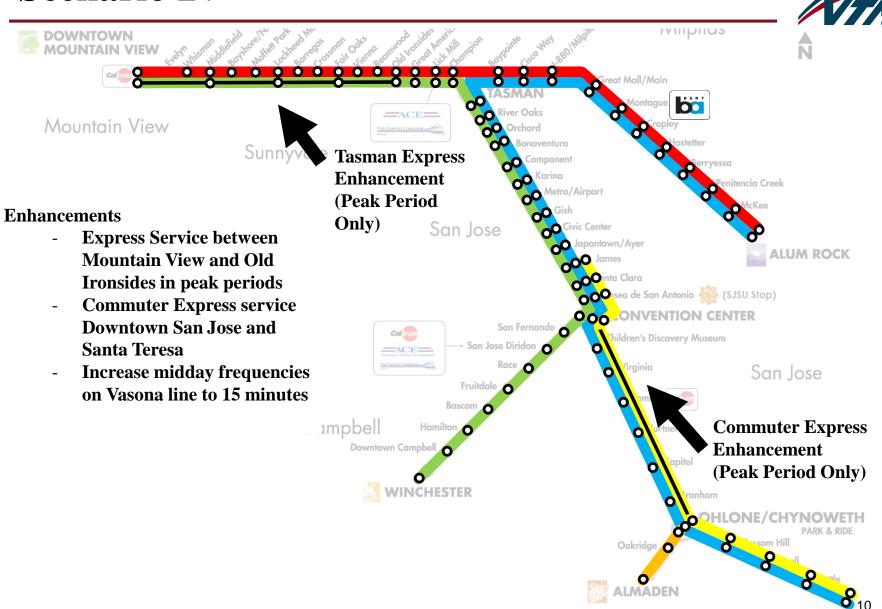
- Express Service between Mountain View and Old Ironsides in peak periods
- Commuter Express service Downtown San Jose and Santa Teresa
- Increase midday frequencies on Vasona line to 15 minutes



### Scenario 2 Base



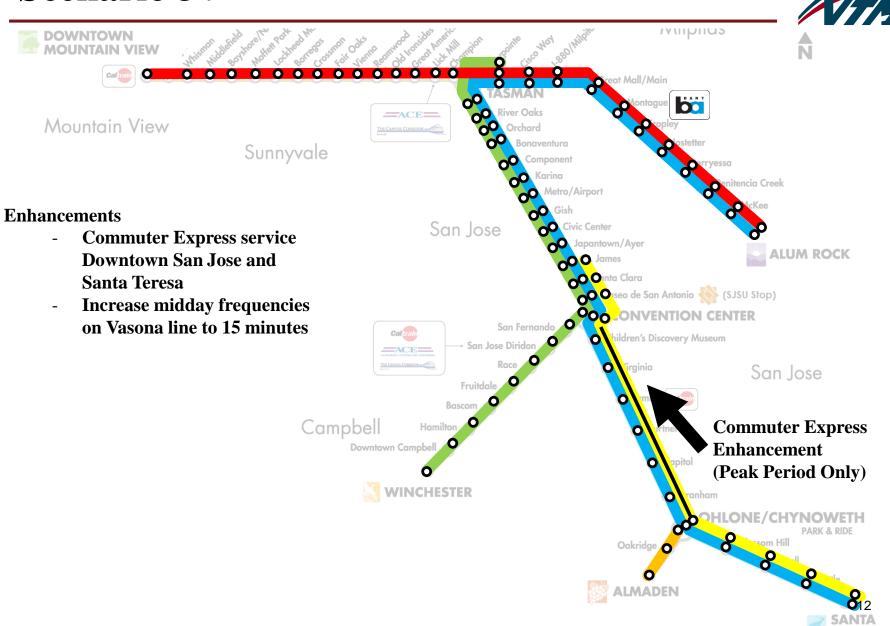
### Scenario 2+



### Scenario 3 Base



### Scenario 3+



# **Ridership and Operating Costs**



### **Light Rail 2017 Operating Plan**

									Enhancements			
	FY2015*	No Project	Scenario 1 Base	Scenario 1+	Scenario 2 Base	Scenario 2+	Scenario 3 Base	Scenario 3+	HWY 87 Express	Vasona 15 min freq	Tasman Express	
Average Weekday Boardings	34,900	49,800	56,600	59,800	58,500	61,600	58,400	60,700	760	1,540	810	
Montague Station (BART)	150	4,100	5,800	5,800	6,100	6,100	6,200	6,200				
Increase over No Project		1	14%	20%	19%	24%	19%	21%	2%	3%	2%	
Operating hours increase		1	16%	30%	16%	30%	11%	18%	3%	4%	6%	
Annual Operating Cost (in millions)	\$80	\$82²		!	-	!	-	!				
Increase over No Project <sup>1</sup>			6.6%	12.3%	6.6%	12.3%	5.0%	7.8%	1.4%	1.5%	2.8%	

Base Scenarios do not include Existing Commuter Express Service on Highway 87

Scenarios 1+ and 2+ include all enhancements, Scenario 3+ includes Commuter Express and 15 minute Vasona Line frequency enhancements

<sup>&</sup>lt;sup>1</sup>Operating cost and hours percentage increases vary because of marginal cost assumptions of additional service

<sup>&</sup>lt;sup>2</sup>Cost of existing Commuter Express service is \$1.0 million

# **Next Network Comparison**

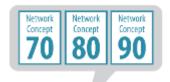


Bus	Light Rail			
Connects to Berryessa and Milpitas BART stations	Only Connects to Milpitas BART station			
Three Network Concepts (Network 70, Network 80, and Network 90)	Three Base Scenarios with three Optional Enhancements			
Same Number of Operating Hours as today	Increase of 5% to 12% in operating hours depending on Scenario and Enhancements			
<ul><li>Key Question:</li><li>Ridership vs. Coverage</li></ul>	<ul><li>Key Questions:</li><li>Connection to BART</li><li>Express services</li><li>Vasona line frequency</li></ul>			

### **Upcoming Schedule**









Discuss concepts & policy choices

Compile



Create draft network plan from community and stakeholder feedback

Community Discussions

Early 2017



101 00 101 1

Refine

Final Plan April 2017



Final Next Network

Discuss draft network plan

Refine draft network plan from community feedback

Board adoption of final network plan

**Board Approval of FY 18-19 Budget:** 

**Board Approval of Next Network Plan:** 

**April 2017** 

**April 2017** 



# Questions?

# 40 Years of Transportation Investment Event April 22, 2016



#### **Funding Highlights**

Santa Clara County is known as a "self-help county" which allows transportation agencies to deliver super majority, voter-approved transportation sales tax measures.

March 1976: permanent half-cent sales tax passed to support the growing need for transit services. As of December 2015, \$4.5 billion has been collected for bus and light rail operations, and transit capital improvements.

November 1984: 10 year half-cent sales tax for highway projects, resulting in \$845 million for roadway improvements.

Local funding support has also helped leverage federal and state funding to finance transportation improvements. In 1973 and 1982, federal funding was obtained to purchase a new fleet of clean energy buses and help get light rail underway.





















#### Santa Clara Valley Transportation Authority

3331 N. First Street, San Jose, CA 95134 Administration (408) 321-5555 Customer Service (408) 321-2300



Santa Clara Valley Transportation Authority Laying the Foundation for Economic Growth:

FOUR DECADES OF TRANSPORTATION INVESTMENT IN SANTA CLARA COUNTY

1976-1985

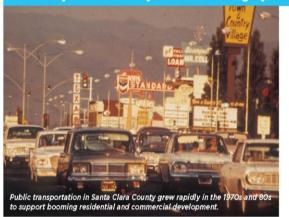
1976-1985

86-1995

996-2005

2006-Present

The Early Years: County Transit Growing by Leaps and Bounds



Often it is said we must explore the past to understand the present, and to shape the future. In this four-part series, we will reflect on how Santa Clara County's transportation network was created over the last 40 years with thoughtful planning, broad-based collaboration, and a solid investment of your tax dollars. We hope that this series will provide county residents and the businesses that we serve with a deeper appreciation for where we have been, as well as a clearer vision for where we are headed.

merican historian David McCullough once said,
"History is not about the past. No one ever lived in
the past. They lived in the present. The difference is it was
their present, not ours. They were caught up in the living
moment exactly as we are, and with no more certainty of

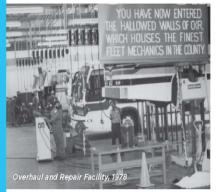
how things would turn out than we have."

So, what was the "present" for the men and women who were building Santa Clara County's transportation system in the early years? At the time, Santa Clara County was known for its rich agricultural base and growing technology industry. The economy



was booming as major industries were drawn to the Bay Area for its skilled work force and natural resources. Leading corporations for defense, microprocessors, and computer chip manufacturing brought tens of thousands of new jobs, requiring a robust transportation system to support movement of their employees and goods. As industrial parks and housing developments popped up like mushrooms across the county, public infrastructure was strained and local leaders, and budgets, were challenged to expand and keep up with the rapid growth.

On June 6, 1972, residents approved the creation of the Santa Clara County Transit District ("County Transit"). The transit function was incorporated into the county government structure, which at that time encompassed planning and development, aviation, and road operations. The road operations division was responsible for 68 miles of expressways and 79 miles of county roads, and the aviation division was responsible for the county's three general aviation airports.



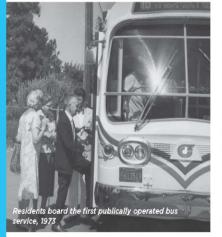
Moving towards the goal of building a mass transit system for a growing urbanized area, the County received \$2 million from the federal government in 1982 to fund the preliminary engineering phase for the County's first light rail line. Construction started with the maintenance facility, which was completed in 1986. Located in downtown San Jose, this facility is still used today to store, clean and repair VTA's 99 light rail vehicles.

In addition to the progress being made on building the public transit system, highway projects also received a boost. In November 1984, voters approved a 10 year half-cent sales tax for highway projects.



ounty Transit bought out the three financially strapped local bus lines and on January 1,1973, residents boarded their first publicly operated bus service. Operating with a fleet of 50 buses in serious need of upgrades and repair, VTA obtained federal funds in 1973 to refurbish the older coaches and purchase 134 30-foot propane powered buses.

On March 6, 1976, Santa Clara County voters approved a permanent half-cent sales tax to help support the growing need for services. As additional funding was secured and workloads increased, County Transit expanded to meet the demand. In 1977, County Transit's primary Overhaul and Repair Facility was built at the Cerone Yard. County Supervisors decided to change the bus fleet from propane to diesel and ordered 102 buses. By 1979, three additional bus yards were built and commissioned into service.



#### **Job Center and Housing Disconnect**

During this period of rapid growth, Santa Clara County experienced a widening disconnect between the location of major employment centers and housing development. Large corporations, including Microsoft, NASA, HP, Lockheed Martin, Intel, Cisco and others established sprawling campuses in the north part of the county, while suburban housing developed to the south. This land use pattern necessitated expansion of the highway infrastructure and increased investment in mass transit options to move large numbers of commuters quickly and conveniently between their homes in the south and jobs in the north.

Those commuting regionally from Santa Clara County to San Mateo and San Francisco counties had the option to travel by the Southern Pacific train. In 1977, Southern Pacific abandoned passenger service and the three Peninsula counties stepped in, partially subsidizing commuter tickets and effectively reversing a long pattern of declining ridership. This set the stage for state sponsorship of the service and, in 1987, the state assumed sole responsibility until the formation of the Peninsula Corridor Joint Powers Board in 1987.

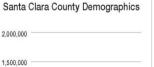
#### Santa Clara County Transportation, 1976-1985

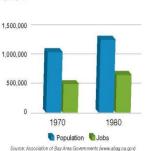


June 6, 1972
The Santa Clara County Transit District
was created with 68 miles of expressway,
79 miles of county roads, and 3 general
aviation airports.

Residents board the first publicly operated bus service.

Overhaul and repair facility at Cerone switches from the use of propane to diesel on 102 buses. Three additional bus yards are established: Cerone Division, Chaboya Division, and North Division.





#### **Golden Triangle**

There is a slice of Silicon Valley flanked by Highways 101, 237 and 880, and incorporating parts of Santa Clara, North San Jose, Sunnyvale and Milipitas that bears the name "Golden Triangle". The moniker appropriately depicts the level of commercial, residential, retail, and entertainment real estate projects that have sprouted here over the years. Home to major tech companies in the 1970s and 1980s, today the area represents nearly 23% of all Silicon Valley office and R&D developments currently underway.

# Try VTA FREE on Earth Day April 22, 2016







# Light Rail Roadeo April 30, 2016









# **Light Rail Roadeo Winners**





# Meet the Primes May 3, 2016









Bike to Work Day – Movers and Shakers May 12, 2016

### PLEASE JOIN US

Join VTA General Manager and CEO Nuria Fernandez and Silicon Valley Bicycle Coalition Executive Director Shiloh Ballard for a seven-mile "Movers and Shakers Bike Ride" on Bike to Work Day, Thursday May 12.

We ride, rain or shine.

The ride will be accessible for riders of all ability levels.

The ride is open to all. Please invite others, and share the event website:

https://bikesiliconvalley.org/event/movers-shakers-bike-ride/

### **PROGRAM**

7:30 a.m. Welcoming Remarks

#### Shiloh Ballard

Executive Director, SVBC

#### **Cindy Chavez**

VTA Board Chair, Santa Clara County Supervisor

#### Sam Liccardo

VTA Board Member, City of San José Mayor

#### Raul Peralez

VTA Alternate Board Member, City of San José Councilmember

#### **Nuria Fernandez**

VTA General Manager and CEO

7:50 a.m. Ride Leaves

8:00 a.m. Coleman Avenue Energizer Station

8:30 a.m. Photo Op at Lupe the Mammoth

8:45 a.m. Arrive VTA River Oaks





Date: April 22, 2016
Current Meeting: May 5, 2016
Board Meeting: May 5, 2016

#### **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 Rapid Transit (SVRT) Program Update

#### FOR INFORMATION ONLY

#### Silicon Valley Berryessa Extension Project

Significant activities and progress on VTA's BART Silicon Valley Berryessa Extension Project continued during April 2016. Key activities that occurred throughout the 10-mile extension include the following:

#### **Construction Update**

- Fremont and central Milpitas. Installation of guideway and systems elements continued throughout the corridor, including electrical duct banks, cable troughs and cable, guideway ballast, concrete ties, rail, floating slab sections, and track crossover sections.
- Dixon Landing Road. North of the roadway, the contractor completed removing trench support of excavation materials. South of the roadway, work continued on trench features including lighting, emergency/maintenance walkways, and the fire suppression system. Preparations are underway for placement of ballast and track. Work continues on the hardscape elements of Dixon Landing Road.
- *Milpitas Station*. The contractor continued work in all areas of the station, including the main station structure, ancillary buildings, and the pedestrian overcrossing to VTA's Montague Light Rail Station.
- *Milpitas Station Parking Garage*. The contractor has completed the fifth parking level. Work continued on the elevator tower and interior office and communications rooms.
- Sierra/Lundy intersection. The contractor completed construction of the remaining

two ventilation chimneys. All major concrete components of the tunnel structure have been completed. Construction of peripheral components continues, and removal of trench support of excavation materials is underway. Lundy Avenue remains configured as one lane in each direction.

- Berryessa Station Area. Installation of aluminum window framing on the station's east façade has begun. Placement of the end-of-line building structural steel has been completed and installation of the floor deck is underway. Steel welding continued for the station concourse's roof canopy, and all main concrete stairways from the concourse level to the platform level have been poured. Within the station campus, construction of the sound wall, ancillary buildings, and surface parking lot continued. Track installation on the aerial guideway is underway.
- Berryessa Station Parking Garage. The contractor has completed the seventh parking level. Work continued on the elevator tower, interior office and communication rooms, mechanical, electrical and plumbing elements. Construction of the fire access road between the BART guideway and garage is also underway.

#### Communications and Outreach

In the City of Milpitas, door-to-door outreach was conducted and a traffic advisory was issued regarding a temporary disruption of water service and installation of a new utility line in the Gladding Court area adjacent to the station area. Staff also met with businesses on Montague Expressway and South Milpitas Boulevard to discuss upcoming roadway work that will occur at that intersection to accommodate future flood control improvements within Upper Berryessa Creek

In the City of San Jose, staff continued its outreach to residents regarding the removal of support of excavation materials near the Sierra Road and Lundy Avenue intersection. Continued outreach was conducted to the residents neighboring the Berryessa Station area. Staff coordinated efforts to produce social media updates for the public.

#### SVBX Budget

STEERS						
	Estimate	Forecast at	Incurred to Date			
		Completion	(Through 3/31/16)			
SVBX New Starts Project	\$2,330.0	\$2,330.0	\$1,393.6			
Concurrent Non-Project Activities	\$ 91.3	\$ 91.3	\$ 51.4			
SVBX Total	\$2,421.3	\$2,421.3	\$1,445.0			

\$Millions - Year of Expenditure

#### **Phase II Activities**

#### **Environmental Activities**

Staff has now received all comments on the administrative draft of the *Supplemental Environmental Impact Statement/Subsequent Environmental Impact Report* from the Federal Transit Administration (FTA) and BART. Staff will submit a second administrative draft to FTA, which will respond to comments and include a Diridon Station option and technical analysis for tunnel construction methodology. It is anticipated that public circulation of the document will occur in late summer 2016.

#### **Community Working Groups**

Phase II Community Working Group meetings were held April 12-14, 2016. Meeting topics included updates on the Phase II environmental process, Envision Silicon Valley, and BART Station Naming policies. Information was also presented on construction outreach best practices from peer agencies throughout the country.

Prepared By: Kevin Kurimoto

Memo No. 5433

# **SVRT Program Update**

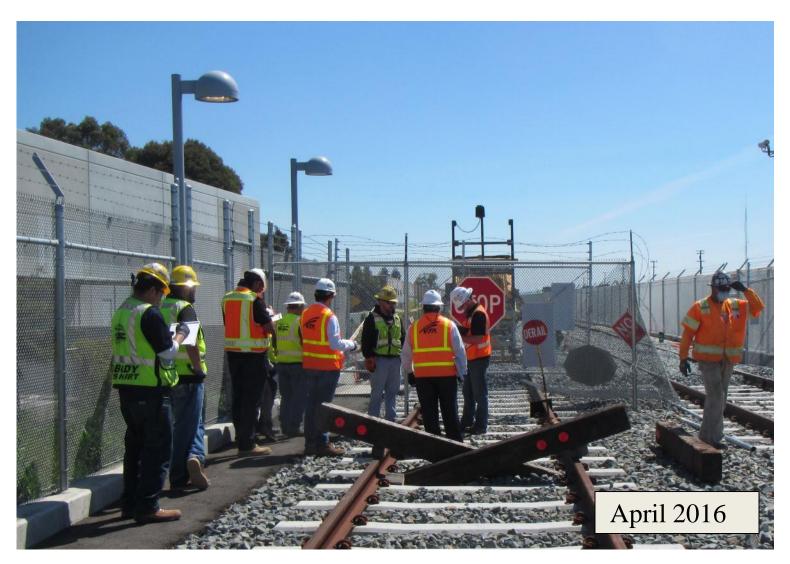
# **Board of Directors Meeting**

May 5, 2016









Looking South at the Warm Springs Extension (WSX) Interface in Fremont

### **SVBX Construction Progress**

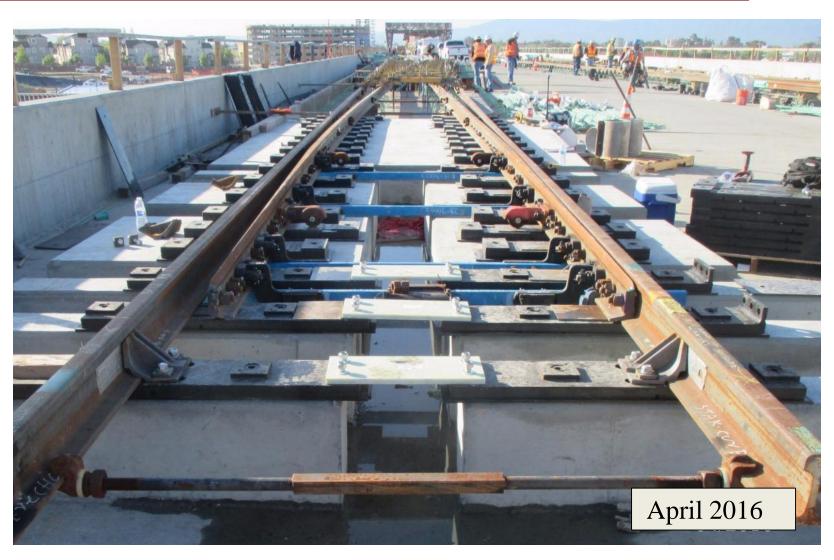




Progress continues on Milpitas Station, parking structure, transit facilities and roadways.

### **SVBX Construction Progress**





Assembly of Special Trackwork at the Berryessa Station in San Jose.

### **SVBX Construction Progress**

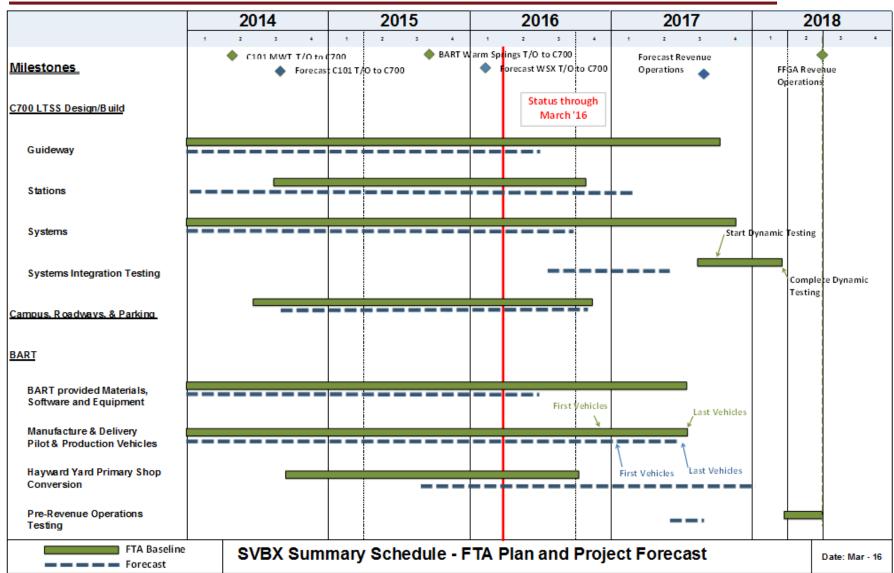




Progress at the Berryessa Station campus and parking structure.



### **SVBX Integrated Summary Schedule**







SVBX Project Element (FTA Standard Cost Category)	Estimate	Forecast at Completion	Incurred to date
SVBX – New Starts			
10 Guideway and Track Elements	416.1	312.1	265.7
20 Stations, Stops, Terminals & Intermodal	250.3	265.8	124.6
30 Support Facilities: Yards, Shops, Admin. Buildings	46.5	63.0	8.6
40 Sitework and Special Conditions	220.1	248.9	170.6
50 Systems	260.7	232.9	139.5
60 ROW, Land, and Existing Improvements	261.0	204.8	158.2
70 Vehicles	174.3	147.9	11.4
80 Professional Services	548.3	592.0	448.6
Sub-Total	2,177.3	2,067.4	1,327.2
90 Unallocated Contingency	40.2	150.1	-
100 Finance Charges	112.5	112.5	66.4
FTA New Starts Total	\$2,330.0	\$2,330.0	\$1,393.6
999 Concurrent Non-project Activities	91.3	91.3	51.4
SVBX Project Total	\$2,421.3	\$2,421.3	\$1,445.0

March 2016

\$Millions – Year of Expenditure

### **BART Silicon Valley Phase 2**



- Phase II Environmental:
  - Administrative Draft comments received from Federal Transit Administration (FTA) and BART. Response development underway for second submittal.
  - Project options added:
    - Diridon Station North Option
    - Additional construction methodology option
  - Public circulation of draft document likely late summer 2016
- Community Working Groups (April 12-14, 2016)
  - Received Environmental Process update
  - Received Envision Silicon Valley update
  - Received BART Phase II Financial update
  - Received Construction Outreach Best Practices update

# End

# **Congestion Management Program and Planning Committee**

Regular Meeting Minutes of April 21, 2016

WILL BE FORWARDED UNDER SEPARATE COVER



#### ADMINISTRATION AND FINANCE COMMITTEE

Thursday, April 21, 2016

#### **NOTICE OF CANCELLATION**

**NOTICE IS HEREBY GIVEN** that the Santa Clara Valley Transportation Authority Administration and Finance Committee meeting scheduled for Thursday, April 21, 2016, at 12:00 p.m. has been cancelled.

The next regular meeting of the Santa Clara Valley Transportation Authority Administration and Finance Committee is scheduled for Thursday, May 19, 2016, at 12:00 p.m. in Conference Room B-104, Building B, 3331 North First Street, San Jose, California.

Mely Taganas, Executive Secretary VTA Office of the Board Secretary

# Committee for Transit Accessibility (CTA) Regular Meeting Minutes of April 13, 2016



# CITIZENS ADVISORY COMMITTEE and 2000 MEASURE A CITIZENS WATCHDOG COMMITTEE

Wednesday, April 13, 2016

### **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 5:04 p.m. by Chairperson Wadler in Conference Room B-104, VTA River Oaks Campus, 3331 North First Street, San Jose, California.

### 1. ROLL CALL

Attendee Name	Title	
Stephen Blaylock	Member	Present
Clinton Brownley	Member	Present
Bena Chang	Member	Absent
Chris Elias	Member	Present
Sharon Fredlund	Vice Chairperson	Present
William Hadaya	Member	Present
Ray Hashimoto	Member	Present
Roberta Hughan	Member	Present
Aaron Morrow	Member	Present
Charlotte Powers	Member	Present
Lucas Ramirez	Member	Present
Connie Rogers	Member	Present
Stephen Schmoll	Member	Present
Martin Schulter	Member	Present
Noel Tebo	Member	Present
Herman Wadler	Chairperson	Present

A quorum was present.

### 2. ORDERS OF THE DAY

Chairperson Wadler noted **Agenda Item #14**, Independent Auditor Initiation of Compliance Audit of FY15, would be deferred to the May 11, 2016, Citizens Advisory Committee (CAC) and 2000 Measure A Citizens Watchdog Committee (CWC).

M/S/C (Ramirez/Powers) to accept the Orders of the Day.

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

RESULT: APPROVED [UNANIMOUS]

MOVER: Ramirez, Member SECONDER: Powers, Member

AYES: Blaylock, Brownley, Fredlund, Hadaya, Hashimoto, Hughan, Morrow,

Powers, Ramirez, Rogers, Schmoll, Schulter, Tebo, Wadler

**NOES:** None

**ABSENT:** Chang, Elias

### 3. PUBLIC PRESENTATIONS

There were no Public Presentations.

### 4. <u>Committee Staff Report</u>

Jim Lawson, Government Affairs Director & Executive Policy Advisor, reported the VTA Board of Directors (Board) took the following actions at their April 7, 2016, meeting: 1) approved an amendment to the FY 2016 VTA Transit Capital Budget by up to \$1.5M to provide additional funding for the Alum Rock Small Business Sustainability Program (SBSP), and granted review to those businesses that have received less than the full amount requested and who have signed a waiver and release against VTA; 2) approved an adjustment to the Joint Development Policy to include an additional section to the Affordable Housing Policy; 3) authorized the General Manager to execute an agreement between VTA and the Bay Area Rapid Transit (BART) for an Operations Control Center Project (OCC Project); and 4) announced VTA will offer free rides on April 22, 2016, in celebration of Earth Day, and encouraged everyone to participate.

On order of Chairperson Wadler and there being no objection, the Committee received the Committee Staff Report.

### 5. Chairperson's Report

Chairperson Wadler indicated the VTA Board received the following CAC approved reports at the April 7, 2016, Board meeting: 1) 2000 Measure A Transit Improvement Program Semi-Annual Report ending December 31, 2015; 2) The Development Renewal Annual Report for 2015; and 3) Transit Ridership Improvement Program (TRIP) Draft Transit Choices Report. He noted the Board had an extensive discussion about transit service in Santa Clara County, and stated upcoming stakeholder and community meetings will be taking place.

### 6. Committee for Transit Accessibility (CTA) Report

Member Morrow reported the Committee for Transit Accessibility (CTA) received an informational item on the rebranding of VTA's Paratransit fleet, noting the item was not well received by the Committee. He expressed concern with removal of the "Outreach" name, stating people with cognitive disabilities may be impacted. He noted his request that staff present another alternative.

### 7. Bicycle and Pedestrian Advisory Committee (BPAC) Report

There was no Bicycle and Pedestrian Advisory Committee (BPAC) Report.

# COMBINED CAC AND 2000 MEASURE A CITIZENS WATCHDOG COMMITTEE CONSENT AGENDAS

### 8. Regular Meeting Minutes of March 9, 2016

M/S/C (Hadaya/Schulter) to approve the Regular Meeting Minutes of March 9, 2016.

### 9. <u>Citizens Advisory Committee (CAC) Quarterly Attendance Report</u>

M/S/C (Hadaya/Schulter) to review the Citizens Advisory Committee (CAC) Quarterly Attendance Report.

### 10. Legislative Update Matrix

M/S/C (Hadaya/Schulter) to review the Legislative Update Matrix.

### 11. One Bay Area Grant Cycle 2 Formula and Criteria

M/S/C (Hadaya/Schulter) to recommend that the VTA Board of Directors approve the Santa Clara County One Bay Area Grant (OBAG) Cycle 2 Guarantee Program Distribution Formula and Countywide Competitive Complete Streets Project Selection Criteria.

### 12. <u>Bay Area Express Lanes Operations Policy Updates</u>

M/S/C (Hadaya/Schulter) to review the Bay Area Express Lanes Operations Policy Updates.

RESULT: APPROVED [UNANIMOUS]

(Consent Agenda Items #8-12)

MOVER: Hadaya, Member SECONDER: Schulter, Member

**AYES:** Blaylock, Brownley, Fredlund, Hadaya, Hashimoto, Hughan, Morrow,

Powers, Ramirez, Rogers, Schmoll, Schulter, Tebo, Wadler

**NOES:** None

**ABSENT:** Chang, Elias

# 2000 MEASURE A CITIZENS WATCHDOG COMMITTEE REGULAR AGENDA

### 13. Contract Award for CWC Compliance Auditor

Stephen Flynn, Senior Management Analyst and Advisory Committee Coordinator, provided an overview of the staff report indicating the CWC Compliance Auditor Subcommittee Committee had unanimously selected Macias, Gini & O'Connell, LLP (MGO) for compliance auditing services for the 2000 Measure A Citizens Watchdog Committee. Mr. Flynn introduced Eugene Ma and Juan Zaragoza, of the Certified Public Accountants from MGO.

Mr. Ma thanked the Committee for the opportunity and indicated he looks forward to bringing forth a fresh perspective. He shared his audit background with the Committee.

Member Powers indicated the CWC Compliance Auditor Subcommittee Committee had interviewed three firms and felt very strongly that MGO was the first recommendation of choice for the Committee.

Member Schulter expressed appreciation for MGO's comprehensive understanding of the Committee's obligations, history, and concerns.

M/S/C (Powers/Schulter) to authorize the General Manager to execute a contract with Macias, Gini & O'Connell LLP for compliance auditing services for the 2000 Measure A Citizens Watchdog Committee's (CWC), as recommended by the CWC Compliance Auditor Subcommittee. The base term of the contract is for two years (two audit cycles) at a fixed price of \$56,050 (\$28,025 per year). In addition, the contract includes five optional one-year contract extensions at a fixed price of \$29,700 per year, to be executed at the sole discretion of the CWC.

RESULT: APPROVED [UNANIMOUS]

MOVER: Powers, Member SECONDER: Schulter, Member

**AYES:** Blaylock, Brownley, Fredlund, Hadaya, Hashimoto, Hughan, Morrow,

Powers, Ramirez, Rogers, Schmoll, Schulter, Tebo, Wadler

**NOES:** None

**ABSENT:** Chang, Elias

Member Elias arrived and took his seat at 4:18 p.m.

# 14. (Deferred to May 5, 2016, Citizens Advisory Committee (CAC) and 2000 Measure A Citizens Watchdog Committee (CWC) Meeting.).

Independent Auditor Initiation of Compliance Audit of FY15

On order of Chairperson Wadler and there being no objection, the Committee deferred receiving a briefing from the 2000 Measure A Citizens Watchdog Committee's independent compliance auditor on the draft audit plan and schedule for performing the compliance audit of FY15.

### CITIZENS ADVISORY COMMITTEE REGULAR AGENDA

### 15. Envision Silicon Valley Update

Mr. Lawson thanked the Committee for their work in the Envision Silicon Valley (ESV) process, and announced the VTA Board of Directors will have a workshop on April 22, 2016, to consider what kind of sales tax measure will be created for ESV. Mr. Lawson stated today staff would like to hear what the Committee believes are the most important transportation issues in Santa Clara County as ESV moves forward.

Scott Haywood, Policy and Community Relations Manager, provided the staff report and a presentation entitled "Envision Silicon Valley," highlighting: 1) Stakeholders; 2) Stakeholder Groups; 3) March Meeting; 4) Group #1; 5) Group #1 Summary; 6) Group

#1 Notes; 7) Group #2; 8) Group #2 Summary; 9) Group #2 Notes; 10) Group #3; 11) Group #3 Summary; 12) Group #3 Notes; 13) Group #4: 14) Group #4 Summary; 15) Group #4 Notes; 16) Potential Category Policies; and 17) Next Steps.

Discussion ensued regarding the following: 1) queried about the absence of Americans With Disabilities Act (ADA) services; 2) encouraged flexibility in the local match requirement; 3) noted there are federal and state funds to leverage tax funds; 4) expressed support for transit accessibility in underserved South County; 5) suggested ADA policies and budget be reviewed as they are out of date; 6) stated the ballot measure should include options that appeal to all voters, noting the measure will require a two-thirds vote to pass and there must be specificity in the verbiage; 7) arguments for and against including Affordable Housing in the measure; 8) indicated any Affordable Housing should be Transit Oriented Development; 9) suggested increasing park and ride locations; 10) suggested staff include among the alternatives an option that would fund projects that have the greatest merit based on the goals and criteria that the Board adopted; 11) breakdown of percentages for specificity; 12) focus should be on building the transportation system and not specifically affordable housing; 13) polling; 14) expressed support for local roads and highway improvements; 15) noted first and last mile connections are important; 16) suggested the tax measure should also support projects that have not been completed under previous measures, such as the Airport People Mover; 17) expressed support for safety improvement, noting verbiage should be included that grade separations improve safety; 18) noted the importance of being careful about the total amount of tax collected in Santa Clara County; 19) queried about the environmental benefit to reduce emissions for both trucks and trains; 20) expressed support for Group #3 recommendations; 21) indicated most voters are not in favor of light rail transit, but would support commuter rail service such as Caltrain; 224) recommends staff provide options based on the evaluation criteria as well as an option shared with the public23) stated "transit" is not sufficiently defined, noting BART and Caltrain should be called out as "regional transit."

Member Hadaya left the meeting at 5:34 p.m.

The Committee came to a consensus on Stakeholder Group 3 as a starting point for discussion, and made the following suggestions: 1) "Transit" includes Caltrain, Bay Area Rapid Transit (BART), and Altamont Commuter Express (ACE) and should be changed to "Regional Transit;" 2) Local Streets should have some flexibility so cities with good pavement conditions can use the funds on other projects with considerable merit; 3) Bus Transit needs clarification that this is capital and operations and should be used to implement the Transit Ridership Improvement Program (TRIP) system redesign; 4) Grade Separations could go to regional transit; 5) there was no consensus reached on the inclusion of Affordable Housing, and; 6) BART and Caltrain should be called out.

Member Morrow left the meeting at 5:38 p.m.

M/S/F (Fredlund/Tebo) on a vote of 6 ayes to 4 noes to 3 abstentions, to review progress and provide input on Envision Silicon Valley. Provide a recommendation to the Santa Clara Valley Transportation Authority (VTA) Board of Directors on a potential sales tax ballot measure to support transportation Group #3 Summary excluding Affordable Housing, and to include the multi-faceted transit categories, such as BART and Caltrain. Members Elias, Schmoll, Ramirez and Tebo opposed.

RESULT: FAILED

MOVER: Fredlund, Member SECONDER: Tebo, Member

**AYES:** Fredlund, Hashimoto, Hughan, Powers, Rogers, Schulter

NOES: Elias, Schmoll, Ramirez, Tebo ABSTAIN: Blaylock, Brownley, Wadler Chang, Hadaya, Morrow

M/S/C (Fredlund/Ramirez) to review progress and provide input on Envision Silicon Valley. Provide a recommendation to the Santa Clara Valley Transportation Authority (VTA) Board of Directors on a potential sales tax ballot measure to support transportation Group #3 Summary, noting the following: 1) there was not consensus within the Committee on the inclusion and percentage of Affordable Housing; and 2) define "transit" to include BART, Caltrain and light rail.

RESULT: APPROVED
MOVER: Fredlund, Member
SECONDER: Ramirez, Member

**AYES:** Elias, Fredlund, Hashimoto, Hughan, Powers, Ramirez, Rogers, Tebo,

Wadler

**NOES:** None

**ABSTAIN:** Blaylock, Brownley, Schmoll, Schulter

**ABSENT:** Chang, Hadaya, Morrow

### COMBINED CAC AND CITIZENS WATCHDOG COMMITTEE ITEMS

### 16. <u>Citizens Advisory Committee and Citizens Watchdog Committee Work Plan</u>

On order of Chairperson Wadler and there being no objection, the Committee reviewed the Citizens Advisory Committee and Citizens Watchdog Committee Work Plans.

### **OTHER**

### 17. <u>ANNOUNCEMENTS</u>

There were no Announcements.

### 18. <u>ADJOURNMENT</u>

On order of Chairperson Wadler and there being no objection, the meeting was adjourned at 6:13 p.m.

Respectfully submitted,

Anita McGraw, Board Assistant VTA Office of the Board Secretary



### **Bicycle & Pedestrian Advisory Committee**

Wednesday, April 13, 2016

### **MINUTES**

### CALL TO ORDER

The Regular Meeting of the Bicycle and Pedestrian Advisory Committee (BPAC) was called to order at 6:36 p.m. by Chairperson Pro Tem Brinsfield in Conference Room B-104, Santa Clara Valley Transportation Authority (VTA), 3331 North First Street, San José, California.

### 1. ROLL CALL

Attendee Name	Title	Status
Jim Bell	Member	Absent
James Wiant	Vice Chairperson	Absent
Dawn Cameron	Member	Present
Wes Brinsfield	Member	Present
Breene Kerr	Member	Absent
Barry Chafin	Member	Present
Kristal Caidoy	Chairperson	Absent
Mary Seehafer	Member	Present
Peter Hertan	Member	Absent
Greg Unangst	Member	Present
Mila Zelkha	Member	Absent
Paul Goldstein	Member	Present
David Simons	Member	Present
Jim Stallman	Member	Present
Herman Wadler	Member	Present
Colin Heyne	Ex-Officio	Absent

A quorum was not present and a Committee of the Whole was declared.

### 2. ORDERS OF THE DAY

Members of the Committee and staff requested that the following items be removed from the Consent Agenda and placed on the Regular Agenda: **Agenda Item #5** - One Bay Area Grant Cycle 2 Formula and Criteria; **Agenda Item #7** - Caltrans-VTA 3-Year FY 2016-18 Project Initiation Document Workplan Update; and **Agenda Item #6** - Crossroads Traffic Collision Database Progress Report be removed from the Consent Agenda and placed on the Regular Agenda.

Lauren Ledbetter, Senior Transportation Planner and Staff Liaison, requested that **Agenda Item #7** - Caltrans-VTA 3-Year FY 2016-18 Project Initiation Document Workplan Update and **Agenda Item #6** - Crossroads Traffic Collision Database Progress Report be heard before **Agenda Item #9** - Envision Silicon Valley Update.

**On order of Chairperson Pro Tem Brinsfield** and there being no objection the Committee of the Whole accepted the Orders of the Day.

### 3. PUBLIC PRESENTATIONS

There were no Public Presentations.

### **CONSENT AGENDA**

### 4. Regular Meeting Minutes of March 9, 2016

On order of Chairperson Pro Tem Brinsfield and there being no objection the Committee of the Whole deferred approval of the Regular Meeting Minutes of March 9, 2016 to the May 12, 2016 meeting.

### 5. (Removed from the Consent Agenda and placed on the Regular Agenda)

Recommend that the VTA Board of Directors approve the Santa Clara County One Bay Area Grant (OBAG) Cycle 2 Guarantee Program Distribution Formula and Countywide Competitive Complete Streets Project Selection Criteria.

### 6. (Removed from the Consent Agenda and placed on the Regular Agenda)

Receive a progress report on Crossroads Traffic Collision Database.

### 7. (Removed from the Consent Agenda and placed on the Regular Agenda)

Receive an update on Caltrans-VTA FY 2016-18 Three-Year Project Initiation Document Workplan.

### 8. <u>I-680 Corridor Study Report Update</u>

**On order of Chairperson Pro Tem Brinsfield** and there being no objection the Committee of the Whole received an informational report on the I-680 Corridor Study.

### The Agenda was taken out of order.

### **REGULAR AGENDA**

### 7. <u>Caltrans-VTA 3-Year FY 2016-18 Project Initiation Document Workplan Update</u>

Eugene Maeda, Senior Transportation Planner, answered clarifying questions about the staff report and workplan.

**On order of Chairperson Pro Tem Brinsfield** and there being no objection the Committee of the Whole received an update on Caltrans-VTA FY 2016-18 Three-Year Project Initiation Document Workplan.

### 6. Crossroads Traffic Collision Database Progress Report

### **Public Comment**

Doug Muirhead, Interested Citizen, made the following comments: 1) questioned why nine agencies have not implemented this system; and 2) urged members to follow up with Public Works and Police Department in their city.

Eugene Maeda, Senior Transportation Planner, provided an overview, highlighting: 1) the program is voluntary and up to each city's Police Department to participate or not; and 2) the software was developed by the Santa Clara County Department of Roads and Airports who came to VTA to help maintain the program.

On order of Chairperson Pro Tem Brinsfield and there being no objection the Committee of the Whole received a progress report on Crossroads Traffic Collision Database.

### 9. Envision Silicon Valley Update

Scott Haywood, Policy and Community Relations Manager, provided a brief update, highlighting: 1) Stakeholders; 2) Stakeholder Groups; 3) March Meeting; 4) Group #1; 5) Group #1 Summary; 6) Group #1 Notes; 7) Group #2; 8) Group #2 Summary; 9) Group #2 Notes; 10) Group #3; 11) Group #3 Summary; 12) Group #3 Notes; 13) Group #4; 14) Group #4 Summary; 15) Group #4 Notes; 16) Potential Category Policies; and 17) Next Steps.

Members of the Committee discussed the following: 1) single occupancy vehicles; 2) concern over the 20% match requirement; 3) State Route 85 (SR 85); 4) expressways in the County; 5) balancing certainty and flexibility for future transportation options in the proposed ballot measure; 6) using percentages for categories instead of dollars for distribution projections; and 7) using the online budget tool.

On order of Chairperson Pro Tem Brinsfield and there being no objection the Committee of the Whole reviewed progress and provided input on Envision Silicon Valley. Approved submitting a recommendation to the Santa Clara Valley Transportation Authority (VTA) Board of Directors on a potential sales tax ballot measure to support transportation.

### 10. Ban Hoverboards on VTA Transit System Due to Safety Concerns

Edna Pampy, Principal Safety Auditor, reviewed the staff report.

Members of the Committee and staff discussed the following: 1) the policy will be reviewed if/when the batteries used in hoverboards receive UL certification; and 2) a timeline of when the policy would be effective and public outreach. Members of the Committee support the ban on hoverboards.

On order of Chairperson Pro Tem Brinsfield and there being no objection the Committee of the Whole received a report on banning hoverboards on all VTA transit service, including facilities and property due to safety concerns.

### 5. One Bay Area Grant Cycle 2 Formula and Criteria

Marcella Rensi, Transportation Planning Manager - Planning and Grants, and Members of the Committee discussed the following: 1) the staff report focused on the criteria for rating projects and not specific projects; 2) local match; and 3) minimum project size.

On order of Chairperson Pro Tem Brinsfield and there being no objection the Committee of the Whole recommended that the VTA Board of Directors approve the Santa Clara County One Bay Area Grant (OBAG) Cycle 2 Guarantee Program Distribution Formula and Countywide Competitive Complete Streets Project Selection Criteria.

### **OTHER**

### 11. Committee Staff Report

Ms. Ledbetter provided a report, highlighting the following: 1) Vasona Corridor Crossing Improvements; 2) Countywide Bicycle Plan Update; 3) Monthly Bike-Pedestrian Webinar on April 20, 2016, at noon focusing on "Shared and Separated Off-Street Paths"; and 4) Bike to Work Day on May 12, 2016.

Member Stallman inquired if the public was informed that VTA is working on crossing improvements as they have brought their concerns to past meetings.

On order of Chairperson Pro Tem Brinsfield and there being no objection the Committee of the Whole received the Committee Staff Report.

### 12. Santa Clara County Staff Report

Dawn Cameron, Santa Clara County Roads and Airports, reported that there will be a meeting on April 20, 2016, to discuss concepts for the Page Mill Road and I-280 intersection in Los Altos Hills.

**On order of Chairperson Pro Tem Brinsfield** and there being no objection the Committee of the Whole received the Santa Clara County Staff Report.

### 13. Chairperson's Report

There was no Chairperson's Report.

### 14. Reports from BPAC Subcommittees

There was no reports from the BPAC Subcommittees.

## 15. <u>Citizens Advisory Committee (CAC) and 2000 Measure A Citizens Watchdog Committee (CWC) Report</u>

There was no CAC/CWC report.

### 16. **BPAC Work Plan**

Ms. Ledbetter provided an overview of the BPAC Work Plan, noting it does not include County items.

**On order of Chairperson Pro Tem Brinsfield** and there being no objection the Committee of the Whole reviewed the BPAC Work Plan.

### 17. ANNOUNCEMENTS

Members Unangst updated the Committee on the Meeting of the BPACs and the Bike Festival scheduled for May 15, 2016, in San Jose.

Member Stallman made the following comments: 1) expressed concern that there is no San Jose representative because the City of San Jose is a big factor in bicycle and pedestrian issues; and 2) the new security wall at San Jose International Airport is complete, but there is no sidewalk despite having room for it.

Member Goldstein mentioned the following: 1) at the last Palo Alto BPAC meeting plans for extensions for many bike boulevards, mini roundabouts, and other improvements were laid out to make Palo Alto more bike friendly; and 2) the Moffett Field trail has been resurfaced.

Member Wadler made the following announcements: 1) Campbell was awarded a grant to install bike lockers; and 2) Tour de Cure for which he is the Bike Safety Coordinator.

Member Simons commented on bike lanes for the State Route 237/Highway 101/Mathilda Avenue interchange in Sunnyvale.

Chairperson Pro Tem Brinsfield commented on: 1) Los Altos City Council approved design funding for a Miramonte pathway; and 2) Caltrain car ribbon cutting ceremony, which launched the addition of a third bike car on Caltrain train set.

### 18. ADJOURNMENT

**On order of Chairperson Pro Tem Brinsfield** and there being no objection the Committee of the Whole adjourned at 8:10 p.m.

Respectfully submitted,

Thalia Young, Board Assistant VTA Office of the Board Secretary

# **Technical Advisory Committee**

# Regular Meeting Minutes of April 14, 2016

# Policy Advisory Committee (PAC) Minutes of April 14, 2016

# State Route 85 (SR85) Corridor Policy Advisory Board Minutes of April 25, 2016



### EL CAMINO REAL RAPID TRANSIT POLICY ADVISORY BOARD

Wednesday, April 27, 2016

### **NOTICE OF CANCELLATION**

**NOTICE IS HEREBY GIVEN** that the Santa Clara Valley Transportation El Camino Real Rapid Transit Policy Advisory Board meeting scheduled for Wednesday, April 27, 2016, at 3:00 p.m. has been cancelled.

The next regular meeting of the Santa Clara Valley Transportation Authority El Camino Real Rapid Transit Policy Advisory Board is scheduled for Wednesday, May 25, 2016 at 3:00 p.m. in Conference Room B-104, Building B, 3331 North First Street, San Jose, California.

Michelle Oblena, Board Assistant VTA Office of the Board Secretary