

**CITIZENS ADVISORY COMMITTEE**  
**SAN MATEO COUNTY TRANSPORTATION AUTHORITY**  
1250 San Carlos Avenue, San Carlos CA 94070  
Bacciocco Auditorium, 2<sup>nd</sup> Floor

**MINUTES OF JANUARY 12, 2010**

**MEMBERS PRESENT:** B. Arietta, J. Bigelow, P. Dixon (Chair), J. Fox, R. Hedges, A. Mader-Clark, D. Maez, L. Shaine, A. Vargas, P. Young, G. Zimmerman

**MEMBERS ABSENT:** R. Hees, C. King, D. Mensing

**STAFF PRESENT:** R. Bolon, M. Choy, J. Hurley, R. Lake, L. Larano, K. Rothschild

Chair Pat Dixon called the meeting to order at 4:36 p.m. Austin Mader-Clark led the Pledge of Allegiance.

**APPROVAL OF MINUTES**

A motion (Bigelow/Maez) to approve the minutes of December 3, 2009 was approved.

**PUBLIC COMMENT**

None

**ITEMS FOR REVIEW – JANUARY 13, 2010 TA BOARD AGENDA**

There was no discussion on the following items:

1. Approval of Minutes of December 3, 2009 - TA Item 5a
2. Acceptance of Statement of Revenues and Expenses for November 2009 - TA Item 5b
3. SamTrans Liaison Report – December 9, 2009 - TA Item 9
4. Fiscal Year 2009 Comprehensive Annual Financial Report – TA Item 12d

**Authorize Amendment to the Fiscal Year 2010 Capital Budget and Allocation to the Peninsula Corridor Joint Powers Board for the San Bruno Grade Separation Project – TA Item 12a**

Director of TA Program Joe Hurley said the capital budget amendment creates capacity to allocate \$35 million to the San Bruno Grade Separation Project with original Measure dollars with a total cost of \$165 million. State funding sources identify Proposition 1B and this is subject to sale of bonds and there is concern when they will be available. There may be a need to do a cash flow and reimbursement from Proposition 1B when available. San Bruno scores in the top 10 grade separation needs in the State and is well-positioned to receive funding. Deputy Director, JPB Capital Program Liria Larano will present project details.

Ms. Larano presented the following:

- The project goal is to improve safety by eliminating conflicts between trains and vehicular/pedestrian traffic at crossings between Highway 380 and San Felipe Avenue in San Bruno.
- Schedule completion dates include final design – January 2010; procurement – June 2010 and construction – June 2012.
- Estimated cost is \$165 million for a two-track grade-separated project.

- Grade-separated vehicular crossings will be constructed at San Bruno, San Mateo and Angus avenues.
- Targeted funding sources include \$35 million in original Measure A funds from the grade separation category; \$30 million grant from State Proposition 1B funds; \$10 million from the State Public Utilities Commission Section 190 grade separation program and State Transportation Improvement Plan (STIP) funds.
- Pedestrian crossings will be constructed at Euclid and Sylvan avenues and the new San Bruno Station.

Doris Maez said she was on the San Bruno CAC for this project and asked if the openings at the grade separation would be wide enough for bikes and pedestrians and compliant with the American Disabilities Act (ADA). Ms. Larano said there will be sidewalks at vehicular crossings but no separate pedestrian crossings. The project is ADA compliant.

George Zimmerman asked if High Speed Rail (HSR) is approved will that agency do its own grade separation. Ms. Larano replied yes. She said the expectation is the next two tracks will be on the east side of the existing tracks. She said if a four-track grade-separated superstructure is to be built to accommodate both Caltrain and HSR, the total project is estimated to cost \$300 million, with an estimated split of \$148 million for the Joint Powers Board (JPB) and \$152 million for California High Speed Rail Authority (CHSRA).

Barbara Arietta asked about location of the new station parking lot. Ms. Larano said it would be northeast of the new station, which will be between San Bruno and San Mateo avenues.

Ms. Maez said she recalled the number of parking spaces was not quite enough to support parking demand during Giants games and asked if additional parking is being considered. Project Manager Rafael Bolon said staff projected to year 2035 in advance to determine parking needs and the project will meet that need with four less spaces. Mr. Bolon said additional parking is not contemplated in the contract and additional parking is available on the street.

Ms. Arietta said spaces sell out during the Giants season.

Larry Shaine asked if the TA was under the gun schedule-wise on the project. Mr. Bolon said there are funding-driven requirements that are accelerating the schedule.

Ms. Maez asked if schedule plans are available for review. Mr. Bolon said the plans are available on the City of San Bruno's Web site.

John Fox asked if the project was designated for platforms, station and tracks and not for building parking lots. Mr. Bolon said there will also be parking lot construction.

Mr. Fox asked how many bike parking spaces and bike facilities are included in the plan. He said it is important the plan indicate bike access. Mr. Bolon will get bike parking information for Mr. Fox.

A qualified motion (Zimmerman/Arietta) was made to support the amendment and allocation to include Mr. Fox's request that bike access information be included.

Jim Bigelow said the design should include more parking if possible. Mr. Hurley said right of way parking spaces are very expensive and normally parking spaces are not built to accommodate peak period needs or otherwise there is a need to justify why money was spent when 99 percent of the time 25 percent of the parking facility is empty.

Rich Hedges said he opposed the motion because the proposed project did nothing to discourage the use of automobiles as opposed to alternate modes of transportation such as buses, walking, shuttles, etc. He said it didn't seem to be in line with moving towards transit oriented development.

April Vargas agreed with Mr. Fox that it is important to have a component in the station plan that outlines alternative ways of getting bicycles to the station. Ms. Vargas asked if there was available property surrounding the station that could be leased for periodic parking overflow. Ms. Larano said parking plan projections to 2035 are based on an increase in population and will accommodate that. Ms. Larano did not know if other property would be available to lease for periodic overflow and this is not part of the project scope.

Mr. Zimmerman said the motion on the table would allow staff and the TA sufficient flexibility to address some of the issues the motion includes. He said the motion should include design for integration of proper bicycle parking and proper design for bicycle access any time of the day and particularly during daytime and commute hours.

Mr. Bigelow said it is not easy to increase parking spaces given budget constraints with the State taking transit funds. He suggested the motion makes sure pedestrian and bicycle access is adequate and there may be more money available if HSR comes.

Chair Dixon's concern is whether additional parking will be addressed or required. Ms. Larano said parking was looked at as part of the design effort and staff is constrained by what is available. She said the contract must be awarded by July 2010 and this means staff must finish the design by the end of January. Additional design will delay staff's ability to complete the design and meet the completion date.

Ms. Arietta said parking is important and asked what could be done to build in some type of watchdog for oversight of future planning. Mr. Hurley said it is important to move forward with the project but staff can come back and report on progress and how issues are being addressed.

Mr. Zimmerman restated the motion in support of the amendment and allocation and expressed concern about the potential parking capacity, and also that included in the design is adequate design of bicycle access to the station. The motion passed 10/1 (Noes: Hedges).

**Authorize Allocation of Original Measure A Funds to the Transbay Joint Powers Authority (TJPA) for the Transbay Transit Center/Caltrain Downtown Extension Project – TA Item 12b**

Programming and Planning Manager Melanie Choy provided the following details on the project at 580 Howard Street, Unit 500 in San Francisco:

- The TA programmed \$27 million in original Measure A dollars to the Caltrain Downtown Extension Project. Approximately \$8.7 million of that has been allocated for preliminary design work. Project costs are approximately \$4 billion.

- The project is a combination of three components due to funding constraints and project development: an above-ground transit center; underground work to bring in the Caltrain extension from the 4<sup>th</sup> and King Caltrain Station to the Transbay Terminal; and the reuse and redevelopment of the area surrounding the terminal.
- The TJPA has requested \$3.8 million to acquire a property, which is in the footprint of the Caltrain extension alignment. The allocation includes the cost of the property and related costs to proceed with the acquisition. If the property is not acquired at this time there may be the risk of eminent domain issues.
- The Measure A allocation to the TJPA is conditioned on granting the TA a security interest in the property whereby the TA would obtain title to the property under certain circumstances, such as a change in the alignment of the Caltrain Downtown Extension that would obviate the need for the property.

Mr. Zimmerman asked how the project is being coordinated with HSR. Ms. Choy said the design for the extension project is further along than the design for HSR. The TJPA is working very closely with both CHSRA and JBP staff to accommodate HSR and not preclude it in design work.

Mr. Bigelow said the CAC should support this project in order to avoid inverse condemnation. A Federal funding request of \$400 million for HSR will be announced in several weeks for the train box and by combining funds it will make it easier to get the Caltrain extension downtown. The TA needs to take actions to protect the tunneling effort and this allocation will do that.

A motion (Bigelow/Zimmerman) to support the allocation of Measure A funds for the Downtown Extension was made.

Mr. Fox asked how a fair price was developed for the property. Ms. Choy said the TJPA has legal consultants on the project. Ms. Choy deferred the question to TJPA consultant Nancy Whelan. Ms. Whelan said the appraisal process is required under Federal Transit Administration (FTA) requirements. The TJPA is required to have a first, second and third appraisal, which have to be approved by the FTA. The appraisals are done on comparable properties in a standard appraisal process with certified appraisers.

Ms. Arietta asked about the size of the unit. Ms. Whelan said the penthouse unit is approximately 2,000 square feet.

Ms. Arietta asked about other units in the building. Ms. Whelan said the entire building will be required for the project and this was identified in the environmental document for the project. Ms. Whelan said other units in the building will be required for Phase Two construction. The property is being acquired at this time due to a hardship case.

Ms. Arietta was concerned about the status of the other units in the building and the established cost per square foot for this transaction. Ms. Whelan said any appraisals on the units would be done on comparable units.

Mr. Hurley said he understands from the discussion that there is an established protocol that needs to be followed to make sure the TA is fulfilling its fiduciary responsibility and being a good steward of public funds to make sure the right of way is acquired for a reasonable price; the protocol has been followed. He said it is very likely the costs would be higher if the TA was involved in a

condemnation process and legal fees would be added to the cost associated with the right of way acquisition.

Ms. Vargas asked for a specific number of units in the building. Ms. Choy said no Measure A funds would be used for any other properties in this building.

Mr. Zimmerman said the TA is following proper procedures but the CAC doesn't have complete information about the issue: how many units, cost of the unit and when the transaction will occur. Ms. Whelan said there are ten units, which will eventually need to be purchased when Phase Two funding is fully in place or if there are additional claims of hardship. Ms. Whelan reiterated these are certified appraisers who have to attest to the values in the area and the methodology used. Three appraisals are required and these are reviewed by a government agency in a fairly rigorous process. If this transaction is not funded and moves into eminent domain the exact appraisals and FTA report would be used in the condemnation process. Other costs would include additional time the owner suffered in inability to move and other claims the owner could file as well as legal costs.

Chair Dixon asked if TA Legal Counsel David Miller was involved with this issue. Ms. Whelan said TJPA legal counsel has spoken with Mr. Miller. Ms. Choy said Mr. Miller was involved with initial meetings in putting the allocation together.

Several CAC members asked to see the comparables. Ms. Whelan said the comparables are not made public until the transaction is finalized.

Mr. Hurley said there is a process to protect the public interest and public funding for the project and legal counsel has assured us that the process has been followed.

Mr. Bigelow said to delay these projects between San Francisco and Los Angeles costs \$2 billion a year and would cost a lot more than current unit price per square foot.

Chair Dixon said the point is the amount of money to purchase the unit.

The motion to support the allocation was passed 9/2 (Noes: Arietta and Dixon).

Mr. Fox said a second motion could say, with respect to the process, CAC members feel it is difficult for them to justify any kind of judgment based on the amount of information available to them and the vote is taken in deference to the importance and significance of the matter.

Mr. Hurley said there was a motion, a second and a vote and the action was taken. He suggested Chair Dixon communicate CAC concerns at tomorrow's TA Board meeting.

**Authorize the Filing of an Application to the Metropolitan Transportation Commission to Request Regional Improvement Program Funds in the Amount of \$4,218,000 for the 101/Broadway Interchange Project – TA Project 12c**

Mr. Hurley said staff will provide an in-depth presentation on this project.

Mr. Zimmerman asked about potential funding obstacles that could impede the project.

Mr. Hurley said the TA is seizing an opportunity to apply for State funds, which would allow for full funding for design of the interchange project.

Mr. Hurley presented the following details:

- The project goal is to mitigate existing and future traffic congestion; improve safety; increase bicyclist and pedestrian access and eliminate the circuitous traffic movements for bicycles, pedestrians and automobiles.
- A new overcrossing will have sidewalks; will be wider to accommodate vehicular traffic and will have wider shoulders for bicyclists.

Mr. Shaine asked if there will be an overcrossing to Caltrain. Mr. Hurley said no. A separation would be a separate project.

Ms. Mader-Clark asked if this will alleviate traffic problems in the area of Broadway and Rollins Road. Mr. Hurley said the current five-legged intersection will become a four-legged intersection alleviating congestion in that area.

- Total cost estimate is \$75.4 million, which includes \$0.4 million for preliminary studies; \$4 million for environmental issues; \$7.8 million for design; \$10.4 million for right of way/utilities; and \$52.8 million for construction.
- Programmed funding to date totals \$8 million from the TA and targeted funding for design in the amount of \$4.2 million from State Transportation Improvement Plan (STIP) funds.
- Project schedule includes:
  - a. Completion of environmental in spring 2011.
  - b. Design, right of way/utilities in spring 2013.
  - c. Bid/award of contract in fall 2013.
  - d. Construction in winter 2016.

Mr. Fox left at 6:08 p.m.

Mr. Bigelow said the TA and City/County Association of Governments of San Mateo County are working together to make sure the project moves forward given the challenges of State funding.

Ms. Maez asked if the 101/Broadway Project was ever considered to be part of the 3<sup>rd</sup> Avenue to Millbrae Avenue Auxiliary Lane Project. Mr. Hurley said the Auxiliary Lane Project terminates at the 101/Broadway off/on ramps and was always considered a separate project.

Chair Dixon asked about total project cost estimates of \$75.4 million and the funding application for \$4,218,000. Mr. Hurley said \$4,218,000 million is what the TA is applying for in STIP funds and that funding, in addition to Measure A funding, will provide all the funding necessary to complete project design. He said there is still more funding to secure for subsequent phases of the project.

A motion (Arietta/Bigelow) to support the application for funds was approved.

## **PROGRAM**

### **a) Adoption of the 2010 Transportation Authority State and Federal Legislative Program – TA Item 13a**

Government Relations Officer Kim Rothschild said staff proposes adoption of the legislative program to guide the Authority's advocacy efforts in Sacramento and Washington, D.C. over the course of the 2010 calendar year.

**b) Update on State and Federal Legislative Program – TA Item 13b**

Ms. Rothschild reported:

State

The governor released the 2010-2011 proposed budget, which would eliminate sales tax on gasoline and diesel fuels and replace a portion of that revenue source with an increase in the excise tax on fuels, none of which would be allocated to transit. Instead of diverting money from the Public Transportation Account (PTA), the proposal would remove the funding stream that is supposed to flow into the PTA, effectively eliminating State Transit Assistance funding for transit.

The California Transit Association (CTA), California Alliance for Jobs and coalition of transit leaders are kicking off a signature-gathering effort statewide to qualify the Local Taxpayer, Public Safety and Transportation Protection Act of 2010 to close loopholes to prevent the State from taking, diverting or borrowing local government, transportation and public transit funds. Seven-hundred thousand signatures are needed to put this on the November ballot.

Ms. Maez asked if the governor's budget has any affect on STIP funds. Mr. Hurley explained that the STIP is a five-year program, which identifies funds for projects. He said the program is on a two-year cycle and it appears no new money is going to be introduced to STIP and it is likely the money programmed into earlier years will be pushed to outer years. The governor's budget eliminates PTA's share of STIP and reduces the amount STIP will grow on a year-to-year basis.

Mr. Zimmerman asked what affect the current State fiscal crisis has on TA projects.

Ms. Rothschild said the current budget proposal will be very different from the Conference Committee proposal released in May.

Mr. Fox asked what is the general perception and understanding about the proposed budget.

Ms. Rothschild said health care and education are more in the public arena than transportation and transportation advocates must bring this to the public.

Mr. Hedges asked if the governor is removing sales tax from gasoline in order to circumvent the CTA lawsuit decision which disallows taking sales tax from transportation. Ms. Rothschild said some of the proposed excise tax on gasoline could be diverted to the General Funds.

**REPORT OF THE CHAIR – PAT DIXON**

No report

**REPORT FROM STAFF – JOE HURLEY**

No report

**COMMITTEE COMMENTS**

None

**NEXT MEETING**

The next regular meeting of the TA CAC will be held on Tuesday, February 2, 2010 at 4:30 p.m. at 1250 San Carlos Avenue, Bacciocco Auditorium, 2<sup>nd</sup> Floor, San Carlos, CA 94070.

**ADJOURNMENT:** 5:38 p.m.