

# MINUTES

## CALIFORNIA TRANSPORTATION COMMISSION

<http://www.catc.ca.gov>

March 15-16, 2006  
Sacramento, California

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### Wednesday, March 15, 2006

2:00 p.m.

Commission Meeting

Department of Water Resources  
Auditorium, First Floor  
1416 9<sup>th</sup> Street  
Sacramento, California

#### GENERAL BUSINESS

1.

- 1 • Roll Call 1.1

The meeting of the California Transportation Commission was called to order at 2:05 p.m. on March 15, 2006, at the Department of Water Resources, First Floor Auditorium, 1416 9<sup>th</sup> Street, Sacramento, California

Roll call was conducted. The Commissioners in attendance were as follows:

Members Present: Marian Bergeson, Chair  
R. Kirk Lindsey  
James Ghielmetti  
Joseph Tavaglione  
John Chalker  
Allen Lawrence  
Esteban Torres (arrived at 3:10 p.m.)

Members Absent: Jeremiah Hallisey  
Bob Balgenorth  
Assemblymember Jenny Oropeza, Ex-Officio  
Senator Alan S. Lowenthal, Ex-Officio

#### 2006 State Transportation Improvement Program (STIP) – North Counties Hearing 4.3

#### TIMED ITEMS: Wednesday, March 15, 2006 at 2:00pm (Items 4.3a. through 4.3c.)

2. • Overview of 2006 STIP Development 4.3a.

Chief Deputy Director David Brewer presented the statutory requirements and general overview of the 2006 STIP process, noting that we have \$1.3 billion in new highway proposals and only \$455 million in new capacity. The RTIPs are collectively front-loaded, with highway proposals exceeding capacity in the first two years by approximately \$650 million. When both hearings are finished, staff will develop STIP recommendations. These recommendations will comply with the Fund Estimate and will incorporate information received from the RTIPs and the ITIPs. The STIP recommendations will be published by April 7, which is 20 days prior to the STIP adoption date of April 27.

3. • Proposed 2006 Interregional Transportation Improvement Program (ITIP) 4.3b.

Ross Chittenden, Caltrans, gave an overview on the Department's Interregional Transportation Improvement Program (ITIP) and the 2006 Interregional Transportation Strategic Plan (ITSP), noting that it is consistent with

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the 2006 ITIP. Special acknowledgement was given to Kurt Scherzinger, Caltrans STIP Office Chief, and his staff for all of their hard work.

- 4.                   • Regional Transportation Improvement Programs,                   4.3c.  
                      North Counties

Senator Tom McClintock, Assemblymember Pedro Nava, and Assemblymember Audra Strickland spoke in support of the Route 118 widening project in Ventura County. Assemblymember John Laird spoke in support of the Route 1/9 Intersection project in Santa Cruz County.

Chair Bergeson noted that representatives for Ventura County had an opportunity to speak at the Southern STIP hearings in Los Angeles on March 9, but in order to accommodate the legislators’ busy schedules and since it is convenient for them to speak in Sacramento, the Commission allowed them an opportunity to speak.

The following individuals requested to give testimony for their agency on proposed projects at the North Counties Hearing:

- Intercity Rail in the ITIP
  - Roger Dickinson, Capitol Corridor JPM Board Member
- Santa Cruz County Regional Transportation Commission (SCCRTC)
  - Ellen Pirie, Chair and Santa Cruz County Supervisor
  - Pet Dellin, Executive Director, SCCRTC
  - Peter Scott, Private Citizen
  - Micah Posner, Private Citizen
  - Debbie Bulger, Private Citizen
  - Jim Danaher, Private Citizen
  - Jeff Mick, Private Citizen
- Amador, Alpine & Calaveras (Tri-Counties Partnership)
  - George Dondero, Executive Director, Calaveras Council of Governments
  - Charles Field, Executive Director, Amador County Transportation Commission
  - Bill Breiner, Chairman, Amador County Transportation Commission
  - Dennis Cardoza, Executive Secretary, Alpine County Local Transportation Commission
  - Merita Callaway, Chairman, Calaveras Council of Governments
- Sacramento Area Council of Governments - Sacramento, Sutter, Yolo and Yuba (SACOG)
  - Pete Hathaway, Deputy Executive Director, SACOG
- Fresno County Council of Governments (Fresno COG)
  - Judy Case, Fresno County Supervisor
  - Mercedes Flores, Assemblymember
  - Allen Autry, Mayor of Fresno
  - Mike Montelongo – Mayor of Sanger
- Humboldt County Association of Governments
  - Spencer Clifton, Executive Director, Humboldt Council of Governments
  - Jacque Hostler, Director, Hoopa Reservation Roads
- Madera County Transportation Commission (Madera CTC)
  - Derek Winning, Madera CTC
  - Les Jorgensen, Special Project Manager, City of Madera



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**ADJOURN**

The meeting of the California Transportation Commission adjourned at 3:12 p.m.

**Thursday, March 16, 2006**

8:30 a.m.

**COMMISSION MEETING**  
**Department of Water Resources**  
**First Floor Auditorium**  
**1416 9<sup>th</sup> Street**

**GENERAL BUSINESS (#6-8)**

- Roll Call 1.1

The meeting of the California Transportation Commission was called to order at 8:35 a.m. on March 16, 2006, at the Secretary of State, First Floor Auditorium, 1500 11<sup>th</sup> Street, Sacramento, California.

Roll call was conducted. The Commissioners in attendance were as follows:

Members Present: Marian Bergeson, Chair  
 R. Kirk Lindsey  
 James Ghielmetti  
 Esteban Torres  
 Joseph Tavaglione  
 John Chalker  
 Allen Lawrence  
 Senator Alan S. Lowenthal, Ex-Officio (arrived 9:30 a.m.)

Members Absent: Jeremiah Hallisey  
 Bob Balgenorth  
 Assemblymember Jenny Oropeza, Ex-Officio

- 6. • Approval of Minutes for February 1-2, 2006 Meeting 1.2

Chair Bergeson asked for approval of the Minutes for February 1-2, 2006. Commissioner Ghielmetti moved to approve. Commissioner Lindsey seconded the motion, which carried 7-0. (Commissioners Hallisey and Balgenorth were absent)

- 7. • Commission Reports 1.3
  - Committee Assignments
  - 2006 Revised Meeting Schedule

Chair Bergeson welcomed Senator Alan S. Lowenthal, Ex-Officio. Senator Lowenthal reported that the infrastructure bond hearings were very productive, but unfortunately the bond package lost by a very narrow margin and will not be placed on the June ballot. The package should be on the November Ballot. The Senate wanted to see more dollars spent in transportation. Senator Lowenthal said he plans to learn more about the California Transportation Commission. Chair Bergeson thanked Senator Lowenthal for his report.

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Chair Bergeson recognized Senator Bob Dutton, who arrived when Item #68 was being presented. Senator Dutton reported that we should not be discouraged that the bond package did not make the June ballot. The Senate is working together to come forward with a good transportation bond package that will include a solid goods movement package. He is very optimistic that the Legislature will have something to put forward to the voters in November. Senator Dutton thanked the Commission for inviting him over to speak at the meeting.

Commissioner Ghielmetti reported on the Real Estate Advisory Panel (Panel) meeting, stating the Department gave a very informative Right of Way presentation that was well-received by the Panel members. Commissioner Ghielmetti asked Chair Bergeson to appoint Mr. Russ Davis from Sacramento as a new member to the Panel.

Chair Bergeson removed herself from all past committee memberships except for the Executive Committee, which now consists of Chair Bergeson, Vice Chair Ghielmetti and Past Chair Tavaglione. Chair Bergeson announced the following changes to the Committee and Liaison assignments and asked each Committee chair/liaison to provide the Commission with a monthly report:

Goods Movement Advisory Committee  
Joseph Tavaglione

Liaison to Technical Advisory Committee on Aeronautics (TACA)  
John Chalker

Real Estate Advisory Panel (REAP)  
Joseph Tavaglione  
Russ Davis

Chair Bergeson noted that Commissioner Tavaglione was honored last evening at a dinner for his outstanding service this past year as the Chair to the Commission. Executive Director John Barna presented Commissioner Tavaglione with the inaugural "Great Allocator Award," for having made more allocations ever in one year.

Commissioner Tavaglione said he considers it an honor to be a part of this organization, and considers it one of the finest Commissions or Boards that he has ever been on.

Commissioner Lindsey reported on the Goods Movement meeting he attended in Los Angeles where he met with the Canadian Consulate. California is Canada's second largest trading partner. Shippers as well as other private sector participants attended the meeting.

Executive Director John Barna announced shifts with the Commission staff. Deputy Director Stephen Maller was recently promoted to Principal Engineer of the Toll Bridge Program Oversight Committee (TBPOC) and Deputy Director Maura Twomey is now the point person for project delivery and budget issues. There will be a period of transition between Maura and Stephen.

Executive Director John Barna reviewed the Revised Meeting Schedule. The following changes were noted: Commission will meet one week earlier in San Diego on July 19 and 20, the November meeting will be in Amador County on November 8 and 9, and the December meeting will be in San Francisco on December 13 and 14.

Commissioner Lindsey moved to approve the revised meeting schedule. Commissioner Chalker seconded the motion, which carried 7-0. (Commissioners Hallisey and Balgenorth were absent)

- **Prepare a letter, for Chair Bergeson's signature, congratulating Mr. Russ Davis on his appointment to the Commission's Real Estate Advisory Panel.**

**ACTION: Robert Chung**

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- **Distribute to interested parties, and post on the CTC website, the Commission’s 2006 Committee Assignments and Revised Meeting Schedule, as adopted at the March meeting.**

**ACTION: Mary Lea Filbert**

8. • Commissioners’ Meetings for Compensation 1.4

Chair Bergeson asked for approval.

Commissioner Lindsey moved to approve the Meetings for Compensation for February 2006. Commissioner Chalker seconded the motion, which carried 7-0. (Commissioners Balgenorth and Hallisey were absent)

**BUSINESS, TRANSPORTATION & HOUSING AGENCY REPORT (#9)**

9. • Report by Agency Secretary and/or Deputy Secretary 1.5

Secretary Sunne Wright McPeak presented the Business, Transportation and Housing Agency Report. The report highlighted the Governor’s Strategic Growth Plan.

Director Will Kempton and Secretary McPeak presented Commissioner Tavaglione with the Caltrans’ “Lifetime Achievement Award” (this award was presented after Item #11 was presented). Commissioner Tavaglione is the fifth person to receive this award.

**CALTRANS REPORT (#10-11)**

10. • Report by Caltrans’ Director and/or Deputy Director 1.6  
 -- Federal Reauthorization Bill – SAFETEA-LU  
 -- Proposed 2007 Federal Budget

Caltrans Director Will Kempton reported that the bond proposal for transportation did not pass the night before and will not be on the June ballot. Efforts continue to get an acceptable bond measure placed on the November ballot. The Director reported that the Department has met its project delivery commitments to date. Director Kempton expressed major concern over disagreements with the Coastal Commission on the Ten-Mile Bridge project in Mendocino County. The Department lost its statutory CEQA exemption on December 5, 2005, when the renewal ran into problems with the legislative staff. Caltrans wants a new bridge built to current standards, but the Coastal Commission wants to add a bike/pedestrian lane, which would involve extensive redesign and require additional environmental review. Director Kempton has a meeting scheduled with the Coastal Commission, and if this issue cannot be resolved, asked if he could request assistance from the Commissioners. Chair Bergeson offered the Commission’s assistance, if requested.

Director Kempton reported on the Governor’s proposed 2006-07 Federal budget. He also noted there were \$900 million inactive Federal obligations. Director Kempton has worked with the FHWA to reduce this to \$440 million, and work continues to reduce this amount further.

Director Kempton noted that progress has been made with the estimating procedures, which should help improve the supplemental funds requests, although the issues this month still reflect old procedures.

Director Kempton congratulated Deputy Director Maller on his promotion as the Principal Engineer of the Toll Bridge Program Oversight Committee (TBPOC). Director Kempton, John Barna, and Steve Hemminger will be on the committee for the bid opening, which is scheduled for March 22, 2006. They are hoping to have two bidders. Their goal is to get a safe bridge in place for the best value for the Bay Area and the people of California.

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Director Kempton introduced Randy Iwasaki who spoke about the Research and Technology Report. Mr. Iwasaki gave the duties and named the members included on the Research and Technology Group panel. There has been \$200 million set aside for ITS in the bond measure to be placed on the November ballot. Secretary Mineta has expressed that the FHWA is making a commitment to concentrate on congestion and plans to use California as an example for other states to follow. California is trying to implement three test corridors to address congestion, i.e. San Diego, Los Angeles, and the Bay Area. Commissioner Lindsey commented that although this is a good report, critical success factors will involve political will, a stable funding source, and the creation of Public Private Partnerships (PPP). He also expressed concern that no one from the mobility industry (trucking or rail) is currently represented on this expert panel. Director Kempton said this was an excellent suggestion, and that he will add mobility experts to the panel.

Commissioner Ghielmetti commented on the aggregate problems. Director Kempton said materials are a key issue and that he is trying to ensure adequate material supplies, labor, and equipment. He will continue to work with the local agencies on permitting.

- **At the Commission’s request, adjust the membership of the Research and Technology Panel to include members from the private sector mobility industry, as well as from rail and transit.**

**ACTION: Tom West**

11.           •     Transportation Performance Measures and 4.12 Evaluation Criteria

Executive Director John Barna gave a brief overview of the item.

Presentations were made by Debbie Mah, Caltrans, Hassan Ikhata, SCAG, Doug Johnson, MTC, Bob Leiter, SANDAG, John Wolf, Caltrans, Tarek Hatata, System Metrics, and Dr. Pravin Varaiya, University of California, Santa Barbara.

Commissioner Chalker commended all of the agencies for their hard work. Chair Bergeson stated that we need performance driven outcomes and that much of this will be driven by the bond.

Director Kempton asked the Commission to adopt Caltrans’ performance measure strategies that are part of the Strategic Growth Plan.

Commissioner Lindsey moved to approve. Commissioner Chalker seconded the motion, which carried 7-0. (Commissioners Hallisey and Balgenorth were absent)

Secretary McPeak thanked the Commission for adopting the performance measure strategies that were presented. She also congratulated Chair Bergeson and thanked Commissioner Tavaglione as the outgoing Chair of the Commission. Secretary McPeak commended Caltrans for being a mobility driven company and thanked Director Kempton for all of his hard work.

- **Per Commissioners’ request, for all future PowerPoint presentations, provide charts that are printed in a larger font and are readable.**

**ACTION: Ross Chittenden**

- **Return at the July Commission meeting with an update on the performance measures, including data on the number of accidents involving trucks. (July Agenda Item)**

**ACTION: John Wolfe/Debbie Mah**



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- 16. IC • Monthly Report on Status of Projects Previously Voted but Not Awarded 3.2

This item was presented on the Information Calendar.

- 17. IC • Monthly Report on Projects Amended into the SHOPP by Department Action 3.4

This item was presented on the Information Calendar.

- 18. IC • Monthly Report on Local Assistance STIP Projects Previously Voted but not Awarded 3.5

This item was presented on the Information Calendar.

- 19. IC • Seventh Cycle AB 1012 Unobligated RSTP and CMAQ, "Use it or Lose It" Balance Report 3.11

This item was presented on the Information Calendar.

**END OF INFORMATION CALENDAR ITEMS**

**CONSENT CALENDAR (#20-43)**

CC

This item was heard on Day Two of the Meeting, March 16, 2006.

Deputy Director Robert Chung recommended approving Consent Calendar items #20 through #43 with the following notations or modifications: Changes and corrections were made to items #32, #36, #37 and #39, as noted on the pink – "Changes to CTC Agenda". Item #32 requires 6 aye votes for approval.

Commissioner Lawrence moved to approve the Consent Calendar, as modified by staff. Commissioner Chalker seconded the motion, which carried 7-0. (Commissioners Balgenorth and Hallisey were absent)

- 20. CC • The San Gabriel Valley Council of Governments requests a TCRP Application Amendment to transfer \$15,300,000 in TCRP funding from Project #54.2 – Alameda Corridor East; Valley View Avenue, to Project #54.3 – Alameda Corridor East; Passons Boulevard. This amendment also updates the project scope, schedule, and funding plan for each project. *(Related Item 2.6e.(2)).* Resolution TAA-06-08, Amending Resolution TA-01-11 2.1c.(1)

This item was approved on the Consent Calendar.

- 21. CC • The Department requests a TCRP Application Amendment to program \$9,140,000 in new TCRP funds for Construction on Project #60.2 – Route 15; Southbound truck-climbing lane. This amendment will also update the project schedule and funding plan. *(Related Item under 2.6e.(2)).* Resolution TAA-06-09, Amending Resolution TA-01-01 2.1c.(2)

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This item was approved on the Consent Calendar.

- 22. **CC** • The Department requests a TCRP Application Amendment to update the project schedule for Project #77 – Route 94; Environmental studies to add capacity. *(Related Item under 2.6e.(1)).* Resolution TAA-06-10, Amending Resolution TA-01-06 2.1c.(3)

This item was approved on the Consent Calendar.

- 23. **CC** • The County of Fresno requests a TCRP Application Amendment to redistribute \$714,000 from Right-of-Way to Construction on Project #96 – Friant Road; Widen to four lanes from Copper Avenue to Road 206. This amendment will also update the project schedule and funding plan. *(Related Item under 2.2c(2) and 2.6e.(2)).* Resolution TAA-06-11, Amending Resolution TA-01-11 2.1c.(4)

This item was approved on the Consent Calendar.

- 24. **CC** • The Kern Council of Governments requests a TCRP Application Amendment to redistribute \$1,500,000 from Right-of-Way to Construction on Project #103 – Route 99; Improve interchange at Seventh Standard Road. This amendment will also update the project schedule and funding plan. *(Related Item under 2.6e.(1)).* Resolution TAA-06-12, Amending Resolution TA-01-03 2.1c.(5)

This item was approved on the Consent Calendar.

- 25. **CC** • The Department requests a TCRP Application Amendment to update the project schedule and funding plan for Project #157 – Route 12; Improvements from Route 29 to I-80 through Jamison Canyon. *(Related Item 2.6e(1)).* Resolution TAA-06-14, Amending Resolution TA-01-11 2.1c.(7)

This item was approved on the Consent Calendar.

- 26. **CC** • Proposition 116 Non-Urban Counties Program. Project Approval Amendment to modify the scope of work on the Mountain Ranch Bikeway project in San Andreas, in Calaveras County. PUC Section 99628. Resolution PA-06-01, Amending Resolution PA-01-06 2.1d.

This item was approved on the Consent Calendar.

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- 27. **CC** • Proposition 116 Rail Project Approval Amendment for access and circulation improvements at the Sacramento Amtrak Depot. PUC Section 99622(a). Resolution PA-06-02, Amending Resolution PA-02-09 2.1e.

This item was approved on the Consent Calendar.

- 28. **CC** • Environmental Matters – Route 41 in Madera County – Replace bridge rails near Coarsegold (ND). Resolution E-06-03 2.2c.(1)

This item was approved on the Consent Calendar.

- 29. **CC** • Environmental Matters – Friant Road in Fresno County - Widen to four lanes from Copper Avenue to Road 206 (TCRP #96) (MND) (FONSI) Resolution E-06-04 2.2c.(2)

This item was approved on the Consent Calendar.

- 30. **CC** • Four New Public Road Connections New public road connections on State Route (SR) 905 at Heritage Road, Britannia Boulevard, the Enrico Fermi Road connection to the SR 905/125 Interchange, and Siempre Viva Road. 11-SD-905 PM 7.1/11.6 (KP 11.4/18.6) in the City of San Diego. Resolution S-727 2.3b.

This item was approved on the Consent Calendar.

- 31. **CC** • One Relinquishment Resolution 10-Mer-99-PM 32.3/36.2 Route 99 in the County of Merced Resolution R-3633 2.3c.

This item was approved on the Consent Calendar.

- 32. **CC** • 50 Resolutions of Necessity Resolutions C-19272 through C-19321 2.4b.

This item was approved on the Consent Calendar, as modified by staff to withdraw C-19272 and C-19319.

- 33. **CC** -- Director’s Deeds – Items #1 through #15 Excess Lands - Return to State: \$554,776 Return to Others: \$0 2.4d.(1)

This item was approved on the Consent Calendar.

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- 34. **CC** -- Director's Deeds – Item #1 2.4d.(2)  
 Excess Lands - Return to State: \$0  
 Return to Others: \$0

This item was approved on the Consent Calendar.

- 35. **CC** • Financial Allocation for 11 Minor Projects totaling 2.5a.  
 \$5,018,000.  
 Resolution FP-05-61

This item was approved on the Consent Calendar.

- 36. **CC** • Financial Allocation for Five SHOPP Projects totaling 2.5b.(1)  
 \$34,322,000.  
 Resolution FP-05-62

This item was approved on the Consent Calendar, as modified by staff to withdraw Project #1.

- 37. **CC** • Financial Allocation for 15 Projects totaling 2.5b.(2)  
 \$30,640,000 amended into the SHOPP by Departmental  
 action.  
 Resolution FP-05-63

This item was approved on the Consent Calendar, as modified by staff to withdraw Project #11.

- 38. **CC** • Financial Allocation for One State-Administered STIP 2.5c.(4)  
 Transportation Enhancement Project for \$200,000, plus  
 \$35,000 from other sources.  
 Resolution FP-05-64

This item was approved on the Consent Calendar.

- 39. **CC** • Financial Allocation for 14 Locally-Administered STIP 2.5c.(5)  
 Transportation Enhancement Projects totaling  
 \$2,743,000, plus \$994,000 from other sources.  
 Resolution FP-05-65

This item was approved on the Consent Calendar, as modified by staff with corrections to the project description.

- 40. **CC** • Financial Allocation for Three Locally-Administered 2.5c.(6)  
 STIP Planning, Programming and Monitoring Projects  
 totaling \$221,000.  
 Resolution FP-05-66

This item was approved on the Consent Calendar.

- 41. **CC** • Financial Allocation for One Proposition 116 Intercity 2.6b.  
 Rail Program Project in Sacramento County for  
 \$625,000.  
 Resolution BFP-05-07

This item was approved on the Consent Calendar.

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- 42. CC • Financial Allocation Amendment for One Proposition 2.6c.  
116 Non Urban Program Project in Calaveras County.  
Resolution BFA-05-09, Amending Resolution BFP-03-06

This item was approved on the Consent Calendar.

- 43. CC • Financial re-allocation totaling \$4,093,000 in lapsing 2.6e.(1)  
TCRP funds for three TCRP Projects.  
Resolution TFP-06-04

This item was approved on the Consent Calendar.

**ALLOCATIONS (#44-50)**

- 44. • TCRP Pending Allocations 4.2c.  
Eight Projects totaling \$280,830,000.

Assistant Deputy Director Annette Gilbertson reported that the Commission had allocated \$678,000,000 in Traffic Congestion Relief Program (TCRP) funding by November 2005. Agencies continued to submit requests, which were placed on the TCRP Pending Allocation List. Project #83.1 was withdrawn by the agency prior to the meeting. Staff recommendation is to approve the allocation of \$257,730,000 for projects on the pending allocation list, as the Department has indicated that there is a relatively low risk that Proposition 42 funds will not be transferred.

Commissioner Chalker requested to be recused from the MTA light rail project that was to be discussed under this item stating he had a potential conflict of interest.

Commissioner Ghielmetti moved to approve the staff recommendation except for the Los Angeles County's light rail project. Commissioner Lawrence seconded the motion, which carried 7-0. (Commissioners Hallisey and Balgenorth were absent. Commissioner Chalker left the room while the vote on the MTA project was taken.

Commissioner Torres moved to approve MTA's light rail project. Commissioner Lawrence seconded the motion, which carried 6-0. (Commissioner Chalker recused himself from the discussion and the vote. Commissioners Hallisey and Balgenorth were absent.)

- 45. • Aeronautics Account Pending Allocations 4.2b.  
14 Projects totaling \$2,525,200.

Mary Frederick, Caltrans, reviewed the item. Commissioner Ghielmetti stated that Aeronautics continues to be under funded and overlooked in the bond funding discussions.

Commissioner Lindsey moved to continue placing the projects on the pending allocation list. Commissioner Torres seconded the motion, which carried 7-0. (Commissioners Hallisey and Balgenorth were absent)

- 46. • STIP/SHOPP Pending Allocation List 4.2a.  
21 SHOPP Projects totaling \$59,057,000; 99 STIP  
Projects totaling \$42,143,000.

Deputy Director Stephen Maller reviewed the item and recommended no action be taken at this time. Staff will review the pending list of STIP projects and bring this item back for action at the April 2006 meeting.

Brian McDermott, Siskiyou County, requested the Commission allocate Siskiyou County's pending list projects.

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Dave Flynn, City of San Luis Obispo, requested the Commission allocate the City’s Tank Farm Road Safety Improvement Project.

Director Kempton stated in order to keep things running forward he would support approving the San Luis Obispo project with a conditional allocation. Executive Director John Barna reiterated staff’s recommendation to defer action under this item, but suggested to Director Kempton that Caltrans provisions may allow for the advertisement of some of the pending list projects administratively.

Commissioner Lindsey moved to accept staff’s recommendation that is not to allocate funds to any of the pending list projects at this time. Commissioner Tavaglione seconded the motion, which carried 7-0. (Commissioners Hallisey and Balgenorth were absent)

- **Work with San Luis Obispo and Siskiyou Counties on possible administrative solutions to their project advertisement problems.**

**ACTION: Ross Chittenden/Terry Abbott**

- 47. • Financial Allocation for Four SHOPP Projects totaling 2.5b.(1.1)  
\$26,554,000.  
Resolution FP-05-\_\_\_

Deputy Director Stephen Maller presented items #47 through #50, stating they do not meet the priority allocation criteria that were adopted by the Commission at its July 2005 meeting and recommended all the projects be placed on the pending allocation list.

Commissioner Ghielmetti moved to approve staff’s recommendation and put the projects on the pending allocation list. Commissioner Chalker seconded the motion, which carried 7-0. (Commissioners Balgenorth and Hallisey were absent)

- 48. • Financial Allocation for Six Locally-Administered STIP 2.5c.(3.1)  
Projects off the State Highway System totaling  
\$2,760,000.  
Resolution FP-05-\_\_\_

See Item #47.

- 49. • Financial Allocation for One Locally-Administered 2.5c.(7)  
STIP Regional Rideshare Project for \$25,000.  
Resolution FP-05-\_\_\_

See Item #47.

- 50. • Financial Allocation for One Locally-Administered 2.5c.(8)  
STIP Project off the State Highway System for  
\$560,000.  
Resolution FP-05-\_\_\_

See Item #47.

**EXTENSION REQUESTS (#51-56)**

- 51. • Request to Extend the Period of Project Allocation for 2.8a.  
the Union City Intermodal Station Project in Alameda  
County for \$6,027,000.  
Waiver-06-06

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Deputy Director Stephen Maller reviewed items #51 through #56 and recommended the Commission grant the time extensions, as requested, but grant only six-month extensions to both the Union City project under Item #51, not the 12 months, as requested by Caltrans' and under Item #55, Project #8, not the 10 months, as requested by Caltrans. Ross Chittenden, Caltrans, said he agreed with the staff's recommendation.

Commissioner Lawrence moved to approve staff's recommendation. Commissioner Chalker seconded the motion, which carried 7-0. (Commissioners Hallisey and Balgenorth were absent)

- 52.           • Request to Extend the Period of Contract Award for the Mission Street Pedestrian Safety Improvement Project in Los Angeles County for \$799,000. Waiver-06-07 2.8b.(1)

See Item #51.

- 53.           • Request to Extend the Period of Contract Award for Four Locally-Administered STIP Projects totaling \$3,063,000, per FY 2005-06 Allocation Plan Criteria. Waiver-06-08 2.8b.(2)

See Item #51.

- 54.           • Request to Extend the Period of Contract Award for One SHOPP Project for \$2,283,000. Waiver-06-09 2.8b.(3)

See Item #51.

- 55.           • Request to Extend the Period of Contract Award for Ten SHOPP Projects totaling \$22,864,000 and Three STIP Projects totaling \$139,593,000, per FY 2005-06 Allocation Plan Criteria. Waiver-06-10 2.8b.(4)

See Item #51.

- 56.           • Request to Extend the Period of Project Completion for Two Locally-Administered STIP Projects totaling \$6,520,000. Waiver-06-11 2.8c.

See Item #51.

**APPEARANCE (#57)**

- 57.           • One Resolution of Necessity – Appearance 2.4a.  
**6 AYES**   M. Osman Amani, et ux.  
 8-SBd-38-PM 3.24  
 Resolution C-19271

Deputy Director Stephen Maller stated the Commission received a letter from the property owners, Mohammad and Cindy Amani, stating they will not appear before the Commission but requested that in lieu of an appearance their letter expressing their concerns be entered into the record. The letter was entered into the record.



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60.           • Financial Allocation for Supplemental Funds for Previously Voted Projects. Eight projects totaling \$37,449,000 to Award Contracts. Resolution FA-05-13           2.5e.(3)
- 04-Ala-L5706 - SHOPP project in Alameda County. Current allocation is \$2,866,000. This request for \$722,000 to award the contract results in an increase of 31% over the original allocation.
  - 04-Ala-L5746 - SHOPP project in Alameda County. Current allocation is \$7,182,000. This request for \$2,257,000 to award the contract results in an increase of 31% over the original allocation.
  - 04-Ala-580 - SHOPP project in Alameda and San Joaquin Counties. Current allocation is \$948,000. This request for \$332,000 to award the contract results in an increase of 35% over the original allocation.
  - 04-SCI-101 - SHOPP project in Santa Clara Counties. Current allocation is \$1,650,000. This request for \$592,000 to award the contract results in an increase of 36% over the original allocation.
  - 04-Var-Var - SHOPP project in Marin, Sonoma and Solano Counties. Current allocation is \$1,542,000. This request for \$1,083,000 to award the contract results in an increase of 70% over the original allocation.
  - 08-Riv-95 - SHOPP project in Riverside Counties. Current allocation is \$1,625,000. This request for \$931,000 to award the contract results in an increase of 57% over the original allocation.
  - 10-SJ-12 - SHOPP project in San Joaquin Counties. Current allocation is \$618,000. This request for \$320,000 to award the contract results in an increase of 52% over the original allocation.
  - 12-Ora - 5 STIP projects in Orange County. Current allocation is \$60,122,000. This request for \$31,212,000 to award the contract results in an increase of 52% over the original allocation.

Deputy Director Stephen Maller reviewed this item, and recommended that the Commission allocate the funds requested. Director Kempton noted there are more bidders per project, so things are improving.

Commissioner Torres moved to approve. Commissioner Tavaglione seconded the motion, which carried 7-0. (Commissioners Balgenorth and Hallisey were absent)

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- 61.           • Informational Report on Supplemental Funds for Previously Voted Projects: G-05-04 Allocations. Two Projects totaling \$6,059,000. 2.5f.(5)

Deputy Director Stephen Maller summarized the Santa Cruz project on Route 1 and the Route 99 project in Tulare County that received supplemental funds under the delegation to the Commission’s executive director. This is an information item, therefore, no action was taken.

- 62.           • Financial Allocation for Supplemental Funds for Previously Voted Projects. Two projects for \$4,093,000 to Settle Construction Claims and Close Out Contract. Resolution FA-05-11 2.5e.(1)

- 01-DN-101 - SHOPP project in Del Norte County. Current allocation is \$3,830,000. This request for \$347,000 to settle construction claims and close out contract results in an increase of 9% over the current allocation.
- 04-Nap-29 - STIP project in Napa County. Current allocation is \$41,877,900. This request for \$3,746,000 to settle construction claims and close out contract results in an increase of 9% over the current allocation.

Deputy Director Stephen Maller reviewed items #62 and #63, which included supplemental votes to settle claims. Mr. Maller recommended the Commission allocate the funds as requested. Director Kempton thanked the Commission collectively for acting on this issue and noted that they have allocated more projects in this fiscal year than any other time in the Department’s history.

Commissioner Lawrence moved to approve staff’s recommendation under items #62 and #63. Commissioner Ghielmetti seconded the motion, which carried 7-0. (Commissioners Hallisey and Balgenorth were absent)

- 63.           • Financial Allocation for Supplemental Funds for Previously Voted Projects. Three SHOPP projects totaling \$4,815,000 for Construction Claims. Resolution FA-05-12 2.5e.(2)

- 06-Fre-99 - SHOPP project in Fresno County. Current allocation is \$17,360,000. This request for \$3,525,000 for construction claims results in an increase of 20% over the current allocation.
- 07-LA-10 - SHOPP project in Los Angeles County. Current allocation is \$2,736,600. This request for \$1,140,000 for construction claims results in an increase of 42% over the current allocation.
- 07-LA-27 - SHOPP project in Los Angeles County. Current allocation is \$500,000. This request for \$150,000 for construction claims results in an increase of 30% over the current allocation.

See Agenda Item #62.



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~~Commissioner Torres moved to approve. Commissioner Lawrence seconded the motion, which carried 6-1. (Commissioner Lindsey voted no and Commissioners Hallisey and Balgenorth were absent)~~

- 68.           • The North Coast Railroad Authority requests a TCRP Application Amendment to program \$2,954,000 in new TCRP funds for PS&E and Construction for Project #32.5 – North Coast Railroad; environmental remediation projects. This amendment will also update the project schedule and funding plan. 2.1c.(9)  
*(Related Items under 2.6e.(2)).*  
 Resolution TAA-06-16, Amending Resolution TAA-02-03

Ross Chittenden, Caltrans, reviewed the item and recommended approval with a condition that the project is to provide for environmental remediation, as identified in the Consent Decree.

Assistant Deputy Director Annette Gilbertson recommended approval of this application amendment with the condition that a written certification from NCRA be signed by the Executive Director of the NCRA and each representative of the ECD state agency parties be submitted as part of the future project application for the remaining \$4 million available to the project. The remaining \$4 million for environmental remediation will not be allocated by the Commission until the NCRA submits certification to the Department and the Commission verifying that the NCRA and state agency parties to the ECD have reached agreement regarding the scope of work, schedule and use of those funds.

1st Vote

~~Commissioner Torres moved to approve with staff recommendations. Commissioner Ghielmetti seconded the motion. The motion failed, as follows:~~

- ~~AYES: Commissioners Ghielmetti, Torres and Bergeson (3)~~
- ~~NOES: Commissioners Chalker, Lawrence, Lindsey, Tavaglione (4)~~
- ~~ABSENT: Commissioners Balgenorth and Hallisey (2)~~

2<sup>nd</sup> Vote

After a lengthy discussion in which Chair Bergeson noted that this item and the previous one were linked and that both should be annulled, Commissioner Chalker moved to annul the previous votes and bring the items back in June. Commissioner Lawrence seconded the motion, which carried 7-0. (Commissioners Hallisey and Balgenorth were absent)

Executive Director Barna suggested it is best to defer this item until the June 2006 meeting.

- 69.           • Traffic Congestion Relief (TCR) Application Amendment Approval. One application amendment to de-program \$5,500,000 in TCRP funding and revise the project funding plan for Project #32.8 – North Coast Railroad; Sub-paragraph (h) fund repayment of federal loan obligations (Q-fund). *(Related Item under 2.6e.(3).)* 2.1c.(10)  
 Resolution TAA-06-17, Amending Resolution TA-00-01

This item will return at the June Commission meeting.

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- 70.           • Financial allocation amendment to de-allocate           2.6e.(3)  
               \$5,500,000 in TCRP funding from Project #32.8 – North  
               Coast Railroad; Sub-paragraph (h) fund repayment of  
               federal loan obligations (Q-fund).  
               *(Related Item under 2.1c.(10).)*  
               Resolution TFP-06-05

This item will return at the June Commission meeting.

- 71.           • Financial allocation for five TCRP Projects totaling   2.6e.(2)  
               \$35,768,000 in new TCRP funding.  
               Resolution TFP-06-\_\_\_

Assistant Deputy Director Gilbertson reviewed the projects in this item and recommended approval for the allocation requests for Projects 1, 2, and 3 (TCRP #54.3, #60.2, and #96). Ms. Gilbertson recommended the Commission defer the NCRA Projects 4 and 5 (TCRP #32.4 and #32.5) allocation requests to the June 2006 meeting.

Commissioner Lawrence moved to approve the three allocation requests as recommended by staff. Commissioner Torres seconded the motion, which carried 6-0. (Commissioners Tavaglione, Hallisey and Balgenorth were absent)

- 72.           • The City of Union City requests a TCRP Application   2.1c.(6)  
               Amendment to approve an alternate project for Project  
               #141 – Union City; ~~pedestrian bridge over Union Pacific~~  
               ~~rail lines~~ **Intermodal Station**. This amendment will also  
               redistribute \$200,000 from PS&E and \$80,000 from R/W  
               to Construction and update the project schedule and  
               funding plan. *(Related item under 2.8a.)*  
               Resolution TAA-06-13, Amending Resolutions  
               TAA-03-02 and TL-03-01

Ross Chittenden, Caltrans, explained the application amendments. Assistant Deputy Director Annette Gilbertson recommended approval of the Union City Application Amendment, as requested, and approval to rescind the previously approved Letter of No Prejudice.

Commissioner Ghielmetti moved to approve the application amendment as recommended by staff. Commissioner Torres seconded the motion, which carried 6-0. (Commissioners Tavaglione, Hallisey and Balgenorth were absent)

**CALTRANS STATUS REPORTS**

- 73.           • Caltrans Monthly FY 2005-06 Finance Report           3.1

Norma Ortega, Caltrans, reviewed Item #73 and discussed the balance in each transportation account. The cash balance for January and February is significantly down due to transfer to BATA for the Toll Bridge. Federal reimbursements were discussed. Cindy McKim, Caltrans, added that the impacts from the allocations made today will be evident a couple of years from now.

- 74.           • FY 2005-06 2nd Quarter Project Delivery Report       3.7

Karla Sutliff, Caltrans, presented the Department's Quarterly Delivery Report. Chair Bergeson thanked the Department for doing a much better job in reporting but expressed her continued concern regarding their project delivery of the environmental documents.

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- 75. • FY 2005-06 2nd Quarter Rail Operations Report 3.8

Bill Bronte, Caltrans, presented the Quarterly Rail Report. The overall ridership, revenues and farebox ratios have increased for all three corridors but the on-time performance continues to be a problem. The track work from Oakland to San Jose is to be completed in March and the on-time performance should improve. Mr. Bronte noted that fuel is about 20% of the cost factor, so any increase in fuel has a huge impact on their expenses.

- 76. • 2005 3<sup>rd</sup> Quarter Seismic Safety Retrofit Report 3.9

There was no discussion on this information item. Submitted on book item only.

- 77. • Informational Report on Emergency: G-11 2.5f.(1)  
Allocations. 22 Projects totaling \$29,280,000.

There was no discussion on this information item. Submitted on book item only.

- 78. • Status of Delivery of AB 3090 Project Components 3.10

There was no discussion on this information item. Submitted on book item only.

- 79. -- Monthly Status of Construction Contract Award for State Highway Projects, per FY 2005-06 Allocation Plan Criteria 3.3a.

There was no discussion on this information item. Submitted on book item only.

- 80. -- Status of Construction Contract Award for Traffic Congestion Relief Program Projects, per FY 2005-06 Allocation Plan Criteria 3.3c.

There was no discussion on this information item. Submitted on book item only.

- 81. -- Monthly Status of Construction Contract Award for Local Assistance STIP Projects, per FY 2005-06 Allocation Plan Criteria 3.3b.

There was no discussion on this information item. Submitted on book item only.

- 82. • Local Assistance Quarterly Lump Sum Allocation Status Report for FY 2005-06 3.12

There was no discussion on this information item. Submitted on book item only.

- 83. • Financial Allocation Adjustment of \$500,286,000 for FY 2005-06 Local Assistance Lump Sum Allocation Resolution FM-05-04, Amending Resolution FM-04-06 2.5g.

Deputy Director Stephen Maller recommended approval of the remaining Local Assistance Lump sum funds.

Commissioner Lindsey moved to approve staff recommendation. Commissioner Tavaglione seconded the motion, which carried 7-0. (Commissioners Hallisey and Balgenorth were absent)

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- 84.                   • Review and Approve Caltrans 2006 SHOPP                   4.9

Ross Chittenden, Caltrans, gave a PowerPoint presentation on the 2006 State Highway Operation and Protection Program (SHOPP) Program, and asked for Commission approval. The available capacity has been depleted by cost increases and emergency projects. Mr. Chittenden identified the strategies for dealing with rest stops and maintenance stations. With the loss of buying power, Caltrans will continue to see an increased number of distressed miles. John VanBerkel, Caltrans, added that many worthwhile projects are excluded from the SHOPP, because the Department simply cannot afford them.

Commissioner Lindsey moved to approve. Commissioner Ghielmetti seconded the motion, which carried 7-0. (Commissioners Hallisey and Balgenorth were absent)

- **Provide Commissioners and staff with copies of the Ten-Year SHOPP (including a copy to Mary Lea Filbert for the Master File).**

**ACTION: Ross Chittenden**

- **For the Alameda HOV project, look at incorporating any roadway rehabilitation that is necessary into the overall project.**

**ACTION: Bijan Sartipi**

- 85.                   • 2005 Excellence in Transportation Awards                   4.10

There was no discussion on this information item. Submitted on book item only.

- 86.                   • Six-month Estimate of Loan Capacity                   4.4  
under AB 1012 Approval of Funding Level  
Resolution G-06-\_\_\_\_, Replacing Resolution G-05-03

Deputy Director Stephen Maller reported that, according to statute, the Commission is required to take action on this item and recommended approval of the Department’s recommendation to continue the loan program through June 2006.

Commissioner Chalker moved to approve the staff’s recommendation. Commissioner Lindsey seconded the motion, which carried 7-0. (Commissioners Hallisey and Balgenorth were absent)

- 87.                   • Adoption of Aeronautics Account Fund Estimate                   4.5  
Resolution G-06-\_\_\_\_

Deputy Director Robert Chung recommended approval of the fund estimate for the Aeronautics Account.

Commissioner Ghielmetti moved to approve. Commissioner Tavaglione seconded the motion, which carried 7-0. (Commissioners Hallisey and Balgenorth were absent)

- 88.                   • Proposed 2006 Aeronautics Program                   4.6

There was no discussion on this information item. Submitted on book item only.

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- 89. • State and Federal Legislative Matters 4.1

\*The Commission may consider bills or resolutions newly introduced, recently amended, or calendared for Legislative committee or floor action, subsequent to publication of this agenda. For further information, call Executive Director John Barna at (916) 654-4245.

Deputy Director Robert Chung reported on SB 858, which is a proposal by a non-profit children’s hospital in San Diego County to acquire the excess properties that were made surplus as a result of Commission action on February 2, 2006, at a price equal to 50% of the property’s appraised value. This bill has made it out of Assembly Transportation and is now going on to Assembly Appropriations. Chair Bergeson suggested keeping a watch on this bill.

- 90. • Environmental Matters – Route 99 in Merced County – Realign and widen to six-lane freeway near Merced (DEIR). 2.2b.

Deputy Director Robert Chung presented this item and recommended that Caltrans, in addition to selecting an environmentally superior alternative, also factor into its selection process a project that is fiscally sound and does not needlessly require scarce revenues.

Commissioner Lindsey moved to approve staff recommendation. Commissioner Torres seconded the motion, which carried 7-0. (Commissioners Hallisey and Balgenorth were absent)

- 91. -- Director’s Deeds – Item #1 2.4d.(3)  
Excess Lands - Return to State: \$4,050,000  
Return to Others: \$0

Deputy Director Robert Chung reviewed the Director’s Deed and the assignment of a contract where Caltrans is seeking to obtain property that is used for Sonnen’s two remaining existing automobile dealerships. Mr. Chung summarized the keys issues with these parcels. In regard to the dealership being terminated by the proposed take, Mr. Chung noted that he had reviewed the franchise agreement, as permitted by statute, and stated that it did contain language regarding the changes to the property and the potential loss of the dealership. He expressed staff’s remaining concerns and asked that Caltrans address the two issues: Was the Thomas parcel offered to the adjacent owner and the owner’s response? What is the industry standard for the acreage needed for a dealership? Bimla Rhinehart, Caltrans, reviewed Caltrans’ offer, and stated in response to staff’s questions that the Thomas parcel was offered to the adjacent land owner, who expressed no interest in any or all of the Thomas parcel. Further, the industry standard for a dealership is about three acres/dealership.

Commission staff recommended approval after hearing the responses from Caltrans. Commissioner Ghielmetti noted this is a very complicated transaction and complimented Ms. Rhinehart and the District 4 staff for putting together a very comprehensive package.

Commissioner Ghielmetti moved to approve the director’s deed and the assignment of the contract. Commissioner Chalker seconded the motion, which carried 7-0. (Commissioners Hallisey and Balgenorth were absent)

- 92. • Draft Revised TCRP Guidelines 4.8

There was no discussion on this information item. Submitted on book item only.



## ACTION ITEMS

From

March 15-16, 2006 Commission Meeting

- 4 (4.3c) Maura Twomey – Ask SACOG to appear and present their community design program at a future Commission meeting. (*Future Agenda Item*)
- **This will be done and reported on at a future Commission meeting.**
- 5 (4.11) John Barna/David Brewer – Meet with Commissioner Chalker to provide an indepth briefing and review of the 2005-06 TCRP/STIP Allocation Policy.
- **This will be done.**
- 5 (4.11) Ross Chittenden – For the April Commission meeting, provide an updated pending project list and include a breakout of projects by category. Provide this breakout as soon as possible to Commissioners and staff, and Regional Agencies. (*April Agenda Item*)
- **The breakout has been distributed and will be discussed under April Tab 30, Agenda Item 4.2a.**
- 7 (1.3) Robert Chung – Prepare a letter, for Chair Bergeson’s signature, congratulating Mr. Russ Davis on his appointment to the Commission’s Real Estate Advisory Panel.
- **This has been done.**
- 7 (1.3) Mary Lea Filbert – Distribute to interested parties, and post on the CTC website, the Commission’s 2006 Committee Assignments and Revised Meeting Schedule, as adopted at the March meeting.
- **This has been done.**
- 10 (1.6) Tom West – At the Commission’ direction, adjust the membership of the ~~Strategic Growth~~ **Research and Technology** Panel to include members from the private sector mobility industry, as well as from rail and transit.
- **This will be done.**
- 11 (4.12) Ross Chittenden – Per Commissioners’ request, for all future PowerPoint presentations, provide charts that are printed in a larger font and are readable.
- **This will be done.**
- 11 (4.12) John Wolfe/Debbie Mah – Return at the July Commission meeting with an update on the performance measures, including data on the number of accidents involving trucks. (*July Agenda Item*)
- **This will be done and reported on at the July 2006 Commission meeting.**

- 3 (1.8) Kathy Mathews – Develop an issue paper regarding any issues with Transportation Enhancement projects in the STIP and report back at a future Commission meeting. *(Future Agenda Item)*
- **This will be done and reported on at a future Commission meeting.**
- 13 (1.8) David Brewer/Stephen Maller – Review with Commissioner Ghielmetti the history of the Transportation Enhancement Program.
- **This will be done.**
- 46 (4.2a) Ross Chittenden/Terry Abbott – Work with San Luis Obispo and Siskiyou Counties on possible administrative solutions to their project advertisement problems.
- **This has been done.**
- 58 (3.13) Ross Chittenden – Provide a breakdown of all supplemental action on awarded projects as soon as possible.
- **This has been done and will be continued on an on-going basis.**
- 66 (4.7) ~~Annette Gilbertson – Provide for Commissioners a framework of the North Coast Railroad Authority history and issues surrounding the railroad.~~ Robert Chung – Request NCRA to return at the ~~June~~ **October** Commission meeting with a business plan. *(~~June~~ **October** Agenda Item)*
- **This will be done and reported on at the October 2006 Commission meeting.**
- 84 (4.9) Ross Chittenden – Provide Commissioners and staff with copies of the Ten-Year SHOPP (including a copy to Mary Lea Filbert for the Master File).
- **This has been done.**
- 84 (4.9) Bijan Sartipi – For the Alameda HOV project, look at incorporating any roadway rehabilitation that is necessary into the overall project.
- **This will be done on an ongoing basis.**