

MINUTES

CALIFORNIA TRANSPORTATION COMMISSION

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

December 10-11, 2008

Oakland, California

Wednesday, December 10, 2008

1:00 p.m.

Commission Meeting
Oakland City Hall
1 Frank H. Ogawa Plaza
Oakland, California

	<u>GENERAL BUSINESS</u>				
1	Roll Call		John Chalker	I	C

VICE CHAIR BOB ALVARADO	
CHAIR JOHN CHALKER	
COMMISSIONER LUCETTA DUNN	
COMMISSIONER JAMES EARP	Absent (Arrived at 1:07 pm)
COMMISSIONER DARIO FROMMER	
COMMISSIONER JAMES GHIELMETTI	
COMMISSIONER CARL GUARDINO	Absent (Arrived at 1:07 pm)
COMMISSIONER R. KIRK LINDSEY	
COMMISSIONER PHILLIP H. TAGAMI	Absent (Arrived at 1:07 pm)
COMMISSIONER JOSEPH TAVAGLIONE	
COMMISSIONER LARRY ZARIAN	
TOTAL	Present: 11 Absent: 0
Senator Alan S. Lowenthal, Ex-Officio	Absent
Assembly Member Mark DeSaulnier, Ex-Officio	Absent

2	Approval of Minutes for October 29-30, 2008		John Chalker	A	C
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Commissioner Ghielmetti moved to approve the October 29-30, 2008 meeting minutes. Commissioner Tavaglione seconded the motion, which carried 8-0. (Commissioners Earp, Guardino, and Tagami were absent.)

3	Executive Director's Report – Approval of 2008 Annual Report to the Legislature		John Barna	A	C
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CTC Executive Director John Barna asked that the approval of the annual report be deferred to Thursday, December 11 at the request of Commissioner Guardino.

On Thursday, December 11, the annual report was brought up for approval immediately following roll call. Commissioner Tavaglione moved to approve the item. Commissioner Ghielmetti seconded the motion, which carried 9-0. (Commissioners Alvarado and Frommer were absent.)

Tab # / Time	Item Description		Presenter	Status*
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Director Barna provided an update on the coalition between California, Oregon, and Washington. He reported they were working on three areas of federal coordination – vehicle miles traveled, goods movement, and air quality. Commissioner Lindsey asked what the ultimate intent of the coalition was. Director Barna replied that they intended to pool resources at the commission level and coordinate west coast policy. Caltrans Director Will Kempton emphasized the importance of a consistent proposal in order to avoid sending mixed messages from California.

Commissioner Lindsey moved to approve the draft of the VMT (Vehicle Miles Traveled) letter. Commissioner Dunn seconded the motion, which carried 11-0.

Director Barna reported on the worsening state budget and the work being done on the federal economic stimulus package. Discussion ensued among the Commissioners and Director Kempton regarding the state’s financial situation.

Director Barna concluded his report by announcing the hire of a new CTC staff member, Lucila Gonzalez.

Action Item: Finalize the Vehicle Miles Traveled letter and obtain the necessary signatures.

4	Commission Reports		John Chalker	A C
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There were no reports presented.

5	Commissioners’ Meetings for Compensation		John Chalker	A C
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Commissioner Frommer moved to approve the item. Commissioner Tavaglione seconded the motion, which carried 11-0.

<u>BUSINESS, TRANSPORTATION & HOUSING AGENCY REPORT</u>				
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6	Report by Agency Secretary and/or Deputy Secretary		Dale Bonner	I B
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This item was presented out of order after Item 18 on Wednesday, December 10.

BTH Deputy Secretary Jim Bourgart presented this item. He began by reporting on the meeting of stakeholders to discuss the federal economic stimulus package. He also updated the Commission on the industry capacity expansion program. He also reported that he attended the California Infrastructure Summit in Orange County and learned that strong interest exists in potential investors for California infrastructure. He stated that California does not have the legislative authority to accept such investments.

Commissioner Lindsey asked how legislators could be convinced to accept the money from investors, and Deputy Secretary Bourgart replied that many people were working on accomplishing that, including Commissioners Dunn and Guardino.

Commissioner Frommer asked about positive train control and what California could do to take advantage of federal funds. Deputy Secretary Bourgart replied that it was being looked at, and was a high priority.

Public Speaker David Schonbrunn of TRANSDEF urged the Commission to remember climate change when considering the economic stimulus package.

<u>CALTRANS REPORT</u>				
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7	Report by Caltrans’ Director and/or Deputy Director		Will Kempton	I D
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This item was presented out of order after Item 5 on Wednesday, December 10.

Tab # / Time	Item Description		Presenter	Status*
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Director Will Kempton began by updating the Commission on the state budget status and the economic stimulus package. He also reported several results of the election regarding county sales tax measures. He reported that 37 out of 38 planned projects had been delivered during the first quarter of the 2008/2009 fiscal year. He then presented a plaque from Governor Schwarzenegger to the Commission for its 30th anniversary.

Commissioner Ghielmetti asked Director Kempton for details regarding the congestion zone pricing plan being studied by San Francisco and what the effects would be on State Routes 1 and 101. Director Kempton agreed to provide more information at the next Commission meeting.

LOCAL REPORTS				
8	Welcome and Bay Area Region Update		MTC ACCMA ACTIA	I R

This item was presented out of order after Item 6 on Wednesday, December 10.

Bill Dodd, MTC Chairman, welcomed the Commission to the Bay Area. He updated the Commission on the partnerships between the MTC and other Bay Area agencies. He also reported that the MTC was working in partnership with Caltrans to launch a freeway performance initiative. He reported on the continued implementation of HOT lanes onto Bay Area roadways.

Steve Heminger, MTC Executive Director, presented a Power Point presentation on a regional HOT Lane network concept.

Commissioners Guardino and Tagami asked Director Heminger what legislation would be necessary to move ahead. Director Heminger stated that he would like the authority to create a network of HOT lanes in the Bay Area. He stated that state law stood in the way more than federal law regarding metropolitan mobility. CTC Executive Director John Barna expressed his willingness to move mobility projects forward. Deputy Secretary Bourgart stated the HOT lane concept was important to the governor’s strategic growth plan due to financial and climate concerns.

Public Speaker Ron Bishop urged the Commission to consider bicycle riders and create more bike lanes and greater connectivity within existing bike lanes. Director Kempton stated that bicyclists’ needs were being addressed through the adoption of the “complete streets” design in the construction of new streets.

Action Item: Commissioner Ghielmetti would like the department’s position on pricing on Highway 1 and 101.

9	Project Update – HOT Lanes		Andy Fremier	I R
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This item was presented with Item 8.

10	Report by Regional Agencies Moderator		Rachel Moriconi	I R
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Rachel Moriconi, RTPA Moderator, presented this item. She reported that the Regional Transportation Planning Agencies had met on November 13 and December 9. They had discussed legislative proposals for 2009, existing and potential funds for transportation, the potential federal economic stimulus package, and the state budget deficit. She concluded by thanking David Brewer for his assistance and wished him best of luck in his retirement.

11	Report by Rural Counties Task Force Chair		Mike Woodman	I R
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Mike Woodman, Rural Counties Task Force Chair, presented this item. He discussed the potential impact on transportation funding if the state budget should be balanced and the potential federal economic stimulus package. He announced the upcoming end to his two-year term as Rural Counties Task Force Chair in January 2009.

12	Report by Self-Help Counties Coalition Chair		Suzanne Smith	I R
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Tab # / Time	Item Description		Presenter	Status*	
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Suzanne Smith, Self-Help Counties Coalition Chair, presented this item. She reported briefly on the results of the sales tax measures in November’s election and the Focus on the Future conference held in November. She expressed her anticipation to begin work on the potential federal economic stimulus package.

Highway Right of Way Matters					
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13 2:30 pm Timed Item 8 Ayes	Resolution of Necessity – Appearance -- Pacific Edge Land and Cattle, LLC., a Nebraska Limited Liability Company 06-Ker-46-PM 4.16 Resolution C-20003		Stephen Maller Bimla Rhinehart	A	D
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CTC Principal Transportation Engineer Stephen Maller presented this item. An appearance was requested by the attorney for the property owner. The property owner chose to appear by letter, which appeared in the Commission meeting book. Staff recommended the Commission adopt the Resolution of Necessity.

Commissioner Tavaglione moved to approve the item based on staff recommendations. Commissioner Zarian seconded the motion, which carried 8-0. (Commissioners Alvarado, Chalker, and Tagami were absent.)

POLICY MATTERS					
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14	Amtrak Presentation		Robert Chung Anne Witt	I	C
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This item was withdrawn from the agenda.

15	Proposition 1B State-Local Partnership Program Guidelines – Northern Hearing		David Brewer	I	C
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CTC Chief Deputy Director David Brewer presented this item. He explained that this was the second of the two required hearings on guidelines for the Proposition 1B State-Local Partnership Program. The implementing legislation (AB 268), signed by the governor on September 30, 2008, required the Commission to adopt program guidelines and program project funds by April 2009. The legislation also required the Commission to hold two hearings - one in northern California and one in southern California – prior to adopting the guidelines. Before the Commission could approve the initial program allocation, regional and local agencies would need time to prepare and submit project nominations. The Commission would then need time to review the nominations and adopt a program of projects. Mr. Brewer also noted that this item would include the hearing only, with action scheduled for the following day’s Commission meeting. He also noted several changes to the book item draft.

Commissioner Earp asked for clarification about a statement made in the book item, which stated, “...the inclusion of an applicant multi-year program will not constitute a programming commitment by the Commission for future year funding.” CTC Executive Director John Barna replied that the program would be subject to annual appropriation and the formula would apply to that appropriation. Mr. Brewer added that the statutes established an annual selection process, unlike CMIA and TCIF.

Public speaker Steve Castleberry, county engineer for Nevada County, asked the Commission to consider revision of the guidelines to allow Nevada’s County’s participation. Commissioner Ghielmetti asked for clarification of the term “voter-approved fees”. Mr. Castleberry replied that in the case of Nevada County, the fees were voter-approved allocation of motor vehicle license fees. Commissioner Lindsey asked if the fees mentioned were voter-approved revenue-enhanced fees. Mr. Castleberry confirmed that they were.

Public speaker Christine Munson, speaking on behalf of Art Dao, stated that she hoped to use the formula funds from the state-local partnership on one large transit project. She asked the Commission to allow formula-funded

Tab # / Time	Item Description		Presenter	Status*
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counties a multi-year allocation in order to award the construction contract and build faster as a result. Deputy Secretary Bourgart asked if Alameda County was prepared to risk the potential for funds not to come through. Ms. Munson confirmed that they were. Commissioner Ghielmetti asked if the Commission had the legislative authority to grant such a request. Mr. Brewer stated that he was not sure and depended on several factors. Director Barna stated that the staff would need to check with legislative staff for direction. Commissioner Lindsey asked what the risk to the Commission would be if Ms. Munson's request were granted. Director Barna replied that such a move would be risky without consulting legislative staff first.

Public speaker Suzanne Smith, Chair of Self-Help Counties Coalition, stated her support of Ms. Munson's request. She stated the year-by-year process puts multi-year projects at risk.

Public speaker Kathryn Matthews, Executive Director of the El Dorado County Transportation Commission, explained that her county fell under the competitive grant program to match uniform developer fees and intends to develop a multi-year program.

Public speaker Rachel Moriconi, Regional Agencies Moderator, explained that consensus of the RTPA group was reached regarding three issues during a phone conversation on December 13. She stated that she was also interested in the possibility of multi-year program funding. She reported that her group was committed to providing dollar for dollar match to the state-local partnership funds for each project, but would like the Commission to consider allowing local funds that were expended for prior project delivery activities to be counted toward the local match of the total project. Commissioner Ghielmetti asked how giving credit for past money spent would be more beneficial. Ms. Moriconi replied that the situation would apply mostly to the multi-year projects and would ensure that all projects would receive proper funding.

Public speaker Wendy Lee, Chief of Programming for San Bernardino Associated Governments, stated that she supports the additional language for multi-year programming. She also stated concerns for allowing funds to be used during construction phase only, which could impact project delivery.

Public speaker Alix Bockelman, Metropolitan Transportation Commission, stated her support for multi-year financial commitments to projects. She also expressed her support for matching credit for prior expenditures addressed by Ms. Moriconi.

Public speaker David Yale, Los Angeles Metro, stated his support for guidelines allowing for support of multi-year projects.

16	Technical Advisory Committee on Aeronautics Report on Accomplishments		Robert Chung Chris Kunze	A C
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Robert Chung presented this item and introduced Chris Kunze, Chair of TACA. Mr. Kunze recommended the Commission accept TACA's annual report and use it to develop the Commission's own annual report to the Legislature. He summarized the activities and recommendations of TACA through 2008.

Commissioner Lindsey moved to approve the report based on staff recommendations. Commissioner Guardino seconded the motion, which carried 8-0. (Commissioners Alvarado, Chalker, and Tagami were absent.)

17	Technical Advisory Committee on Aeronautics Report on Aviation Issues		Robert Chung Chris Kunze	A C
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Robert Chung presented this item and staff recommendation to accept TACA's report on upcoming issues and use the report to develop the Commission's own annual report to the Legislature.

Commissioner Tavaglione asked Mr. Kunze how much money has been dispersed to airports. Mr. Kunze replied that the amount was approximately \$4.7 million annually.

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Commissioner Guardino moved to approve the report based on staff recommendations. Commissioner Earp seconded the motion, which carried 8-0. (Commissioners Alvarado, Chalker, and Tagami were absent.)

18	TCIF Status Report	Maura Twomey	I C
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This item was presented out of order after Item 7 on Wednesday, December 10.

Maura Twomey, CTC Deputy Director, presented this item. She reported that as of December 1, 2008, the Commission had approved 66 Project Baseline Agreements for the 79 TCIF projects. An additional 4 Project Baseline Agreements were recommended for approval at the December 10, 2008 Commission meeting. She went on to explain the status of the remaining projects and the related Project Baseline Agreements. Discussion ensued among Commissioners regarding the projects and the financial issues affecting them.

Public Speaker Theresa McMillan, MTC Deputy Executive Director of Policy, urged the Commission to secure financial commitments for projects without baseline agreements. She also recommended that projects in Tier 1 be reevaluated to make sure everything moves quickly.

19	TCIF Baseline Agreements	Maura Twomey	A C
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This item was presented out of order after item 17 on Wednesday, December 10.

Maura Twomey presented this item and recommended approval. Commissioner Tavaglione moved to approve the item. Commissioner Guardino seconded the motion, which carried 8-0. (Commissioners Alvarado, Chalker, and Tagami were absent.)

5:00 pm	Adjourn
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Commissioner Ghielmetti adjourned the meeting on Wednesday, December 10, 2008, at approximately 5:00 pm.

<u>Tab # / Time</u>	<u>Item Description</u>		<u>Presenter</u>	<u>Status*</u>
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Thursday, December 11, 2008

9:00 a.m.

**Commission Meeting
Oakland City Hall
1 Frank H. Ogawa Plaza
Oakland, California**

<u>GENERAL BUSINESS</u>				
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	Roll Call		John Chalker	I	C
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VICE CHAIR BOB ALVARADO	Absent (arrived at 9:15 am)
CHAIR JOHN CHALKER	
COMMISSIONER LUCETTA DUNN	
COMMISSIONER JAMES EARP	
COMMISSIONER DARIO FROMMER	Absent
COMMISSIONER JAMES GHIEMMETTI	
COMMISSIONER CARL GUARDINO	
COMMISSIONER R. KIRK LINDSEY	
COMMISSIONER PHILLIP H. TAGAMI	
COMMISSIONER JOSEPH TAVAGLIONE	
COMMISSIONER LARRY ZARIAN	
TOTAL	Present: 10 Absent: 1
Senator Alan S. Lowenthal, Ex-Officio	Absent
Assembly Member Mark DeSaulnier, Ex-Officio	Absent

<u>PROGRAM STATUS</u>				
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20	Proposition 116 – Status Report and Update by the High Speed Rail Authority		Quentin Kopp Medhi Morshed	I	R
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Carrie Pourvahidi, Deputy Director of High Speed Rail Authority, speaking for Mr. Kopp and Mr. Morshed, summarized events of the 2007/2008 and 2008/2009 fiscal year.

Commissioner Tagami asked if SYSTRA, referenced in the status report, was involved in the peer review. Ms. Pourvahidi replied that SYSTRA was part of the program management and design team.

Commissioner Zarian asked if the cities of Glendale and Burbank would be stops along the high-speed rail corridor. Ms. Pourvahidi replied that a station was proposed for Burbank.

Chair Chalker asked Ms. Pourvahidi when her group was expecting to begin the sale of bonds. She replied that the application would be submitted within a week to the State Treasurer’s Office to be added to the agenda for a January 21, 2009 board meeting. Chair Chalker asked what the process was for determining when future bond sales would be done. Ms. Pourvahidi replied that it would be done on an annual basis. Chair Chalker also asked if any outside peer review had been done on the business plan. Ms. Pourvahidi replied that none had been done yet.

<u>POLICY MATTERS</u>				
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21	High Speed Rail Bond Implementation		Mitchell Weiss	A	C
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Mitchell Weiss, CTC Deputy Director, presented this item. Discussion ensued among Commissioners regarding high speed rail bond implementation.

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Public speaker David Schonbrunn of TRANSDEF expressed his wishes to get rail projects started quickly. He also reported that positive train control would be an eligible item for funding, as detailed in the letter handed out to Commissioners.

No action was taken or required on this item.

Action Items: Chair Chalker would like ridership data and reduced travel time be considered in project selection criteria

Commissioners Dunn and Lindsey would like ready to be awarded projects to be considered in project selection criteria.

	INFORMATION CALENDAR	Stephen Maller	
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Stephen Maller, CTC Principal Transportation Engineer, presented this item and noted that Item 30 was moved to the Consent Calendar, and that Items 84 and 88 were moved to the Information Calendar. There were no comments or questions from Commissioners.

22 IC	<u>Informational Reports on Allocations Under Delegated Authority</u> -- Emergency G-11 Allocations (2.5f.(1)): \$4,609,000 for nine projects. -- SHOPP Safety G-03-10 Allocations (2.5f.(3)): \$998,000 for one project near Priest Valley in Monterey County. -- Minor G-05-05 Allocations (2.5f.(4)): \$8,521,000 for 12 projects.		I D
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This item was presented on the Information Calendar on Thursday, December 11, 2008.

23 IC	Monthly Status of Construction Contract Award for State Highway Projects, per Resolution G-06-08		I D
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This item was presented on the Information Calendar on Thursday, December 11, 2008.

24 IC	Monthly Status of Construction Contract Award for Local Assistance STIP Projects, per Resolution G-06-08		I D
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This item was presented on the Information Calendar on Thursday, December 11, 2008.

25 IC	Monthly Status of Construction Contract Award for TCRP Projects, per Resolution G-06-08		I D/C
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This item was presented on the Information Calendar on Thursday, December 11, 2008.

26 IC	Close-out Report Under AB 1012 "Use it or Lose it" Provision for Federal FY 2006 Unobligated CMAQ and RSTP Funds		I D
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This item was presented on the Information Calendar on Thursday, December 11, 2008.

27 IC	Notification of AB 1012 "Use It or Lose It" Provision for Federal FY 2007 Unobligated CMAQ and RSTP Funds		I D
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<u>Tab # / Time</u>	<u>Item Description</u>		<u>Presenter</u>	<u>Status*</u>	
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This item was presented on the Information Calendar on Thursday, December 11, 2008.

28 IC	Bi-Annual Report for TCRP			I	D
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This item was presented on the Information Calendar on Thursday, December 11, 2008.

29 IC	Report on Final Right of Way Estimates for STIP Projects			I	D
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This item was presented on the Information Calendar on Thursday, December 11, 2008.

30 CC	Technical Correction to Resolution FP-05-18, originally approved August 18, 2005. A technical correction is needed for Project #7 - Santa Fe Bike Path Transportation Enhancement project, to change the budget year from FY 2005-06 to FY 2008-09. No change to the amount allocated.			I	D
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This item was moved to the Consent Calendar and approved on Thursday, December 11, 2008.

	CONSENT CALENDAR		Robert Chung		
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Robert Chung presented this item and indicated that Item 30 was moved from the Information Calendar to the Consent Calendar. He noted changes to Items 33, 36, 37, 43, 45, 47, 50 and 51 as noted in the change list. Items 33, 47, 50, and 51 were taken off of the Consent Calendar for individual discussion. Item 60 was added to the Consent Calendar.

Commissioner Zarian moved to approve the Consent Calendar. Commissioner Tavaglione seconded the motion, which carried 10-0. (Commissioners Frommer was absent.)

31 CC	STIP Amendment 08S-006 The Department proposes to amend the STIP to move \$5,800,000 IIP from R/W in FY 2009-10 to Construction Support in FY 2012-13, and move \$325,000 IIP from R/W in FY 2009-10 to R/W Support in FY 2009-10 to be consistent with the approved Trade Corridors Improvement Fund Baseline Agreement for the San Juan Road Interchange Project (PPNO 0058E).			A	D
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This item was approved on the Consent Calendar on Thursday, December 11, 2008.

32 CC	STIP Amendment 08S-007 The Inyo County Local Transportation Commission proposes to amend the STIP to reduce the scope of the Independence Town Rehabilitation Project (PPNO 2556) and add the Riverside Bridge Project (PPNO 2570).			A	D
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This item was approved on the Consent Calendar on Thursday, December 11, 2008.

Tab # / Time	Item Description		Presenter	Status*	
33 CC	TCRP Project Amendment (2.1a.(3)): TCRP Allocation Amendment (2.6e.): The Department proposes to amend TCRP Project #18 (Route 101; widen eight miles of freeway to six lanes, Novato to Petaluma [Novato Narrows] in Marin and Sonoma Counties) to be consistent with approved CMIA baseline agreement. Resolution TAA-08-07, Amending Resolution TAA-07-33 Resolution TFP-08-05, Amending Resolution TFP-07-03			A	D

This item was taken off the Consent Calendar.

Andre Boutros, CTC Chief Delivery Officer, presented this item. There were no comments or questions from Commissioners. Commissioner Lindsey moved to approve the item. Commissioner Tagami seconded the motion, which carried 10-0. (Commissioner Frommer was absent.)

34 CC	Proposition 116 Non-Urban County project application approval for \$51,886 to Alpine County Local Transportation Commission for the purchase of one transit vehicle for Alpine Mountain Transit. PUC 99628. <i>(Related item under Tab 52.)</i> Resolution PA-08-05			A	D
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This item was approved on the Consent Calendar on Thursday, December 11, 2008.

35 CC	Approval of Project for Future Consideration of Funding: 01-Men-1, PM 82.0/82.3 Route 1 in Mendocino County. Construct roadway improvements including retaining walls, replace metal beam guardrail, improve drainage and new road paving near Westport. (MND) Resolution E-08-21			A	D
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This item was approved on the Consent Calendar on Thursday, December 11, 2008.

36 CC	Approval of Project for Future Consideration of Funding: 03-ED-50, PM 14.3/15.8 Route 50 in El Dorado County. Construct a new interchange at Missouri Flat Road north of Cameron Park. (FEIR) Resolution E-08-22			A	D
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This item was approved on the Consent Calendar on Thursday, December 11, 2008.

37 CC	Approval of Project for Future Consideration of Funding: 05-SBt-156, PM 3.0/R8.2 Route 156 in San Benito County. Widen the existing Route 156 from two to four lanes from The Alameda to the Hollister Bypass in San Juan Bautista. (PPNO 4060) (FEIR) Resolution E-08-25			A	D
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This item was approved on the Consent Calendar on Thursday, December 11, 2008.

Tab # / Time	Item Description		Presenter	Status*	
38 CC	Approval of Project for Future Consideration of a New Public Road Connection: Block at Orange Expansion Project in Orange County. New public road connection at State Route 22 westbound The City Drive on/off ramps at Metropolitan Drive in the City of Orange. (FEIR) Resolution E-08-_____			A	C/D

This item was approved on the Consent Calendar on Thursday, December 11, 2008.

39 CC	One Route Adoption as a freeway on Route 101 at 01-Men-101 PM R99.3/R100.3 in the county of Mendocino near Confusion Hill. Resolution HRA 08-03			A	D
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This item was approved on the Consent Calendar on Thursday, December 11, 2008.

40 CC	One New Public Road Connection to Route 22 at 12-Ora-22 PM L9.7 (The Block Way) in the city of Orange near the Santa Ana River. <i>(Related item under Tab 38.)</i> Resolution S-739			A	D
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This item was approved on the Consent Calendar on Thursday, December 11, 2008.

41 CC	One Relinquishment Resolution 2-The-5-PM R27.5; 2-The-36-PM L40.3 Right of Way on Adobe Road between Route 5 and Route 36 in the city of Red Bluff. Resolution R-3714			A	D
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This item was approved on the Consent Calendar on Thursday, December 11, 2008.

42 CC	Three Vacation Resolutions -- 2-Teh-36-PM 29.0/T29.0 Right of Way along Route 36 in the county of Tehama east of Cannon Road near Red Bluff. Resolution A-871 -- 2-Teh-36-PM 37.7/38.1 Right of Way along Route 36 in the county of Tehama west of Kinney Avenue near Red Bluff. Resolution A-872 -- 2-Plu-89-PM 0.8/2.3 Right of Way along Route 89 in the county of Plumas near Whitehawk. Resolution A-873			A	D
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This item was approved on the Consent Calendar on Thursday, December 11, 2008.

43 CC 8 Ayes	29 Resolutions of Necessity Resolutions C-20007 through C-20024 and C-20026 through C-20036			A	D
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This item was approved on the Consent Calendar on Thursday, December 11, 2008.

Tab # / Time	Item Description		Presenter	Status*	
44 CC	Airspace Lease – Term Extension, City of Sacramento – Approve lease extension to support transit-friendly development and revitalization in the downtown Sacramento area.			A	D

This item was approved on the Consent Calendar on Thursday, December 11, 2008.

45 CC	Director's Deeds Items #1 through #41 Excess Lands – Return to State: \$7,797,550 Return to Others: \$0			A	D
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This item was approved on the Consent Calendar on Thursday, December 11, 2008.

46 CC	Financial Allocation (2.5a.): \$334,000 for one District Minor SHOPP project on Route 58 in Kern County near Mojave Bypass. Resolution FP-08-19			A	D
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This item was approved on the Consent Calendar on Thursday, December 11, 2008.

47 CC	Financial Allocation (2.5b.(1)): \$86,454,000 for 27 SHOPP projects, as follows: -- \$47,879,000 for nine projects programmed in the 2008 SHOPP. -- \$38,575,000 for 18 projects amended into the SHOPP by Department action. Contributions from local sources: \$362,000. (Related item under Tab 66.) Resolution FP-08-20			A	D
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This item was taken off the Consent Calendar.

Mitchell Weiss, CTC Deputy Director, presented this item. He explained that the department has recommended allocation of these items contingent on tribal gaming revenues remaining consistent with the enacted fiscal year 2008/2009 budget amounts. Commission staff recommended approval of the item on a non-contingent basis.

Commissioner Ghielmetti moved to approve the item based on staff recommendations on a non-contingent basis. Commissioner Tavaglione seconded the motion, which carried 9-0. (Commissioners Frommer and Lindsey were absent.)

Commissioner Earp asked how the projects would move forward should the tribal gaming money not be available. Caltrans Chief Financial Officer Cindy McKim replied that the ability to move projects forward depended on what happened in the future in the Legislature. She stated that the department's recommendation to approve allocations contingent on tribal gaming revenue was to draw attention to the fact that all of transportation funding was unstable.

Tab # / Time	Item Description		Presenter	Status*	
48 CC	Financial Allocation (2.5c.(1)): \$2,290,000 for three State-administered STIP projects on the State Highway System, as follows: -- \$540,000 for one project on Route 89 in Plumas County near Indian Falls, from north of Route 70 to north of Dixie Canyon Road. -- \$1,750,000 for two Transportation Enhancement projects. Resolution FP-08-21			A	D

This item was approved on the Consent Calendar on Thursday, December 11, 2008.

49 CC	Financial Allocation (2.5c.(2)): \$5,075,000 for two locally-administered STIP projects on the State Highway System. Contributions from local sources: \$5,000,000. Resolution FP-08-22			A	D
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This item was approved on the Consent Calendar on Thursday, December 11, 2008.

50 CC	Financial Allocations (2.5c.(3)): \$8,075,000 for 17 locally-administered STIP projects off the State Highway System, as follows: -- \$1,711,000 for six STIP projects. Contributions from local sources: \$2,400,000. -- \$5,344,000 for seven STIP Transportation Enhancement projects. Contributions from local sources: \$9,005,000. -- \$1,020,000 for four STIP Planning, Programming, and Monitoring projects. Resolution FP-08-23			A	D
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This item was taken off the Consent Calendar.

Mitchell Weiss, CTC Deputy Director, presented this item and recommended approval. The recommendations included making a one-time exception for Project 6 in Mariposa County to receive an additional \$110,000 allocation. Commissioner Zarian moved to approve the item. Commissioner Ghielmetti seconded the motion, which carried 9-0. (Commissioners Frommer and Lindsey were absent.)

51 CC	Financial Allocation (2.5c.(4)): \$221,000 for two locally-administered STIP Transportation Enhancement (TE) projects off the State Highway System to be allocated from Humboldt County FY 2009-10 TE Reserve. Contributions from local sources: \$24,000. Resolution FP-08-__			A	D
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This item was taken off the Consent Calendar.

Mitchell Weiss, CTC Deputy Director, presented this item and recommended deferral.

Commissioner Alvarado moved to approve staff recommendations for deferral. Commissioner Tavaglione seconded the motion, which carried 9-0. (Commissioners Frommer and Lindsey were absent.)

<u>Tab # / Time</u>	<u>Item Description</u>		<u>Presenter</u>	<u>Status*</u>	
52 CC	Financial Allocation (2.6b.): \$51,886 for one Proposition 116 Non-Urban County project for the Alpine County Local Transportation Commission to purchase one transit vehicle for Alpine Mountain Transit. PUC 99628. (Related item under Tab 34.) Resolution BFP-08-02			A	D

This item was approved on the Consent Calendar on Thursday, December 11, 2008.

END OF CONSENT CALENDAR

Environmental Matters – Notice of Preparation of an Environmental Impact Report (EIR)

53	Notice of Preparation of a Draft Environmental Impact Report: 11-SD-76 PM 12.4/17.6, PM 46.1/47.1 Route 76 in San Diego County. Roadway improvements, including the addition of one lane in each direction along a 5.2 mile portion of Route 76. (NOP)		Susan Bransen Jay Norvell	A	D
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Susan Bransen, CTC Associate Deputy Director, presented this item and recommended that the Commission send no comments in response to this notice.

Commissioner Ghielmetti moved to approve the recommendation. Commissioner Tavaglione seconded the motion, which carried 8-0. (Commissioners Earp, Frommer, and Lindsey were absent.)

54	Notice of Preparation of an Environmental Impact Report (EIR): City of San Gabriel in Los Angeles County – San Gabriel Trench Grade Separation Project. (NOP)		Susan Bransen	A	C
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Susan Bransen, CTC Associate Deputy Director, presented this item and recommended that the Commission send comments in response to this notice.

Commissioner Zarian moved to approve the recommendation. Commissioner Tavaglione seconded the motion, which carried 8-0. (Commissioners Earp, Frommer, and Lindsey were absent.)

Environmental Matters – Comments on Documents in Circulation (Draft EIR)

55	Submittal of Draft Document for Comments: 05-SLO-1, PM 64.0/R67.2 Route 1 in San Luis Obispo County. Realign a 3.2 mile portion of Route 1 from just north of Piedras Blancas Lighthouse to the Arroyo de la Cruz Bridge near San Simeon. (DEIR)		Susan Bransen Jay Norvell	A	D
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Susan Bransen, CTC Associate Deputy Director, presented this item and recommended that the Commission direct staff to send a letter to the department stating that the commission had no comments regarding the environmental impacts of the alternatives.

Commissioner Tavaglione moved to approve the recommendation. Commissioner Ghielmetti seconded the motion, which carried 9-0. (Commissioners Frommer and Lindsey were absent.)

Tab # / Time	Item Description		Presenter	Status*	
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Action Item: Commissioner Tagami requested information regarding the communication with Parks and Recreation with regard to this project.

56	Submittal of Draft Document for Comments: 05-SB-101, PM 83.1/83.9 Route 101 in Santa Barbara County. Construct a new interchange in the city of Santa Maria and the community of Orcutt. (PPNO 4638) (DEIR)		Susan Bransen Jay Norvell	A	D
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Susan Bransen, CTC Associate Deputy Director, presented this item and recommended that the Commission direct staff to send a letter to the department stating that the Commission had no comments regarding the environmental impacts of the alternatives.

Commissioner Lindsey moved to approve the recommendation. Commissioner Tavaglione seconded the motion, which carried 10-0. (Commissioner Frommer was absent.)

57	Submittal of Draft Document for Comments: 11-SD-15, PM 15.1/16.4 Route 15 in San Diego County. Construct a 1.3 mile Direct Access Ramp (DAR) to connect Route 15 to the communities of Mira Mesa and Scripps Miramar Ranch. (DEIR)		Susan Bransen Jay Norvell	A	D
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This item was pulled from the agenda.

<u>Environmental Matters – Approval of Projects for Future Consideration of Funding, Route Adoption or New Public Road Connection (Final Negative Declaration or EIR)</u>					
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58	Approval of Project for Future Consideration of Funding: 03-Sut-99, PM 0.0/2.6 Route 99 in Sutter County. Construct a new interchange to connect Riego Road to Route 99 at the Sacramento/Sutter County line. (PPNO 3L44) (MND) Resolution E-08-23		Susan Bransen Jay Norvell	A	D
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Susan Bransen, CTC Associate Deputy Director, presented this item and recommended approval.

Commissioner Earp moved to approve the item. Commissioner Tavaglione seconded the motion, which carried 10-0. (Commissioner Frommer was absent.)

59	Approval of Project for Funding: 04-Son-101, PM 21.7/29.3 Route 101 in Sonoma County. Widen Route 101 from four to six lanes between Steele Lane interchange to Windsor River Road interchange near Santa Rosa. (FEIR) Resolution E-08-24		Susan Bransen Jay Norvell	A	D
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Susan Bransen, CTC Associate Deputy Director, presented this item and recommended approval.

Commissioner Ghielmetti moved to approve the item. Commissioner Tavaglione seconded the motion, which carried 10-0. (Commissioner Frommer was absent.)

Tab # / Time	Item Description		Presenter	Status*	
60	Approval of Project for Future Consideration of Funding: 05-SCr-17, PM 6.1/6.5 Route 17 in Santa Cruz County. Construct safety enhancements, including outside shoulders, concrete guardrail, retaining wall, and drainage improvements, near the city of Scotts Valley. (PPNO 4001) (MND) Resolution E-08-26		Susan Bransen Jay Norvell	A	D

This item was moved to the Consent Calendar and approved on Thursday, December 11, 2008.

61	Approval of Project for Consideration of Funding: 08-Riv-215, PM R9.0/15.5 Route 215 in Riverside County. Construct a third mixed flow lane in each direction and widen Route 215 to a minimum of three lanes in each direction. (PPNO 9991A) (ND) <i>(Related item under Tab 70.)</i> Resolution E-08-27		Susan Bransen Jay Norvell	A	D
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Susan Bransen, CTC Associate Deputy Director, presented this item and recommended approval.

Commissioner Tavaglione moved to approve the item. Commissioner Ghielmetti seconded the motion, which carried 10-0. (Commissioner Frommer was absent.)

62	Approval of Project for Future Consideration of Funding: Park Boulevard at Harbor Drive Pedestrian Bridge Project in San Diego County – Construct a pedestrian bridge near PETCO Park in downtown San Diego. (MND) Resolution E-08-____		Susan Bransen Jay Norvell	A	C
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Susan Bransen, CTC Associate Deputy Director, presented this item and recommended approval.

Commissioner Tavaglione moved to approve the item. Commissioner Zarian seconded the motion, which carried 10-0. (Commissioner Frommer was absent.)

Proposition 1B CMIA Program Amendments					
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63	The Department, in conjunction with Placer County Transportation Planning Agency, proposes to amend the CMIA project baseline agreement for the Route 80 Capacity/Operational Improvement Project – Phase 2 (PPNO 0146C) to reduce the CMIA funds to reflect award savings and transfer savings to Phase 3A (PPNO 0146F) to fund an increase in scope and cost. <i>(Related items under Tab 64 and Tab 66.)</i> Resolution CMIA-PA-0809-005		Andre Boutros Rachel Falsetti	A	D
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Andre Boutros, CTC Chief Delivery Officer, presented this item together with Item 64 and recommended approval.

Commissioner Zarian moved to approve the items. Commissioner Earp seconded the motion, which carried 10-0. (Commissioner Frommer was absent.)

Tab # / Time	Item Description		Presenter	Status*	
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Commissioner Tagami asked what would happen to the potential savings related to the project. Mr. Boutros replied that any savings related to the project would be a result of the bidding environment and would remain with the project until completion, in case of cost-related issues.

Celia McAdam, Executive Director of the Placer County Transportation Planning Agency, stated that any savings would be placed in a reserve, but would ultimately be used in the same corridor. She emphasized her agency's commitment to completing both projects and covering any related cost increases beyond what is available in the project reserve.

64	The Department, in conjunction with Placer County Transportation Planning Agency, proposes to amend the CMIA project baseline agreement for the Route 80 Capacity/Operational Improvement Project - Phase 3A (PPNO 0146F) to increase the scope and cost of Phase 3A, and shift award savings from Phase 2 (PPNO 0146C) to help fund the cost increase. <i>(Related items under Tab 63, Tab 66, and Tab 65.)</i> Resolution CMIA-PA-0809-006		Andre Boutros Rachel Falsetti	A	D
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This item was presented together with Item 63.

Proposition 1B CMIA Project Allocations					
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65	Financial Allocation Amendment (2.5g.(1d)): De-allocate \$9,216,000 from a State-administered CMIA project on Route 80 in Placer County, originally approved January 10, 2008, to shift savings to another Route 80 project (PPNO O146F) in Placer County. <i>(Related items under Tab 63, Tab 64, and Tab 66.)</i> CMIA-AA-0809-001, Amending Resolution CMIA-A-0708-005		David Brewer Rachel Falsetti	A	D
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Andre Boutros, CTC Chief Delivery Officer, presented this item and recommended approval.

Commissioner Lindsey moved to approve this item. Commissioner Tavaglione seconded the motion, which carried 9-0. (Commissioners Frommer and Tagami were absent.)

66	Financial Allocation (2.5g.(1a)): \$35,607,000 for two State-administered CMIA projects on the State Highway System, as follows: -- \$32,207,000 for one project on westbound Route 80 in Placer County to add HOV Lanes and Auxiliary Lanes from Miners Ravine to Route 65. Contributions from local sources: \$7,793,000. <i>(Related items under Tab 63 and Tab 64.)</i> -- \$3,400,000 for one project on Route 80 in Fairfield in Solano County, west of the Route 80/12 interchange. <i>(Related item under Tab 47.)</i> Resolution CMIA-A-0809-006		David Brewer Rachel Falsetti	A	D
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Andre Boutros, CTC Chief Delivery Officer, presented this item and recommended approval.

Commissioner Tavaglione moved to approve the item. Commissioner Lindsey seconded the motion, which carried 10-0. (Commissioner Frommer was absent.)

Tab # / Time	Item Description		Presenter	Status*	
67	Financial Allocation (2.5g.(1b)): \$24,600,000 for Segment 1 of the Route 580 Isabel Interchange project in Livermore programmed in the CMIA. Contributions from local sources: \$12,800,000. (Related item under Tab 68.) Resolution CMIA-A-0809-007		David Brewer Rachel Falsetti	A	D

Andre Boutros, CTC Chief Delivery Officer, presented this item together with Item 68 and recommended approval.

Commissioner Tagami moved to approve the items. Commissioner Ghielmetti seconded the motion, which carried 10-0. (Commissioner Frommer was absent.)

68	Financial Allocation (2.5g.(1c)): \$3,900,000 for Segment 2 of the Route 580 Isabel Interchange project in Livermore programmed in the CMIA. Contributions from local sources: \$3,400,000. (Related item under Tab 67.) Resolution CMIA-A-0809-008		David Brewer Rachel Falsetti	A	D
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This item was taken together with Item 67 and approved.

Proposition 1B STIP Project Allocations					
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69	Financial Allocation (2.5g.(3a)): \$23,500,000 for two State-administered STIP projects on the State Highway System, as follows: -- \$7,500,000 for one project on Route 5 in Tehama County near Corning, north of the South Avenue overcrossing. -- \$16,000,000 for one project on Route 70 in Butte County near Oroville from north of the Ophir Road intersection to west of Route 162. Contributions from local sources: \$5,864,000. Resolution STIP1B-A-0809-008		David Brewer Rachel Falsetti	A	D
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David Brewer, CTC Chief Deputy Director, presented this item and recommended approval.

Commissioner Ghielmetti moved to approve the item. Commissioner Tavaglione seconded the motion, which carried 9-0. (Commissioners Frommer and Tagami were absent.)

70	Financial Allocation (2.5g.(3b)): \$3,548,000 for one locally-administered STIP project on Route 215 in Riverside County in Murietta, from the Route 15/215 interchange to Scott Road, programmed in the CMIA. Resolution STIP1B-A-0809-009		David Brewer Rachel Falsetti	A	D
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David Brewer, CTC Chief Deputy Director, presented this item and recommended approval.

Commissioner Tavaglione moved to approve the item. Commissioner Alvarado seconded the motion, which carried 9-0. (Commissioners Frommer and Tagami were absent.)

Tab # / Time	Item Description		Presenter	Status*	
71	Financial Allocation Adjustment (2.5g.(3d)): Reduce original allocation of \$23,404,000 to \$18,055,000, per AB 608, for the Route 99/Whitmore Avenue Interchange project in Ceres in Stanislaus County. Resolution STIP1B-AA-0809-001, Amending Resolution STIP1B-A-0708-008		David Brewer Rachel Falsetti	A	D

David Brewer, CTC Chief Deputy Director, presented this item and recommended approval, but with the understanding that after the AB 608 approval, the allocation may not be adjusted upward again. Any additional allocation would require Commission approval.

Commissioner Lindsey moved to approve the item. Commissioner Tavaglione seconded the motion, which carried 10-0. (Commissioner Frommer was absent.)

72	Financial Allocation Adjustment 2.5g.(3e): Reduce original allocation of \$21,600,000 to \$17,180,000, per AB 608, for the Route 101/36 project in Humboldt County. Resolution STIP1B-AA-0809-003, Amending Resolution STIP1B-A-0708-014		David Brewer Rachel Falsetti	A	D
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David Brewer, CTC Chief Deputy Director, presented this item and recommended approval but with the understanding that after the AB 608 approval, the allocation may not be adjusted upward again. Any additional allocation would require commission approval.

Commissioner Alvarado moved to approve the item. Commissioner Guardino seconded the motion, which carried 10-0. (Commissioner Frommer was absent.)

Proposition 1B Traffic Light Synchronization (TLS)-Project Allocations					
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73	Financial Allocation (2.5g.(7)): \$5,605,000 for four Traffic Light Synchronization projects. Resolution TLS1B-A-0809-004		Juan Guzman Ross Chittenden	A	D
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Juan Guzman, CTC Associate Deputy Director, presented this item and recommended approval.

Commissioner Ghielmetti moved to approve the item. Commissioner Tavaglione seconded the motion, which carried 10-0. (Commissioner Frommer was absent.)

Proposition 1B Highway-Railroad Crossing Safety Account (HRCSA) Project Allocations					
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74	Financial Allocation (2.5g.(9)): \$6,000,000 for one locally-administered HRCSA project in the city of San Diego at the intersection of Park Boulevard and Harbor Drive. (Related item under Tab 62.) Resolution GS1B-A-0809-001		Juan Guzman Lam Nguyen	A	D
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Juan Guzman, CTC Associate Deputy Director, presented this item and recommended approval.

Commissioner Tavaglione moved to approve the item. Commissioner Dunn seconded the motion, which carried 10-0. (Commissioner Frommer was absent.)

Proposition 1B State Route 99 Corridor (RTE 99) Project Allocations					
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Tab # / Time	Item Description		Presenter	Status*	
75	Financial Allocation (2.5g.(2a)): \$15,950,000 for six State-administered RTE 99 projects for pre-construction components. Resolution R99-A-0708-001 Resolution R99-A-0809-001		Mitchell Weiss	A	C

Laurel Janssen, CTC Assistance Deputy Director, presented Items 75 and 76 together and recommended approval.

Commissioner Ghielmetti asked why the money was being deallocated under Item 76. Ms. Janssen explained that the allocation made in June was a lump sum allocation and did not specify amounts received by any specific projects. CTC Executive Director John Barna added that it was an oversight and that in the future, projects would receive allocations in each phase.

Commissioner Alvarado moved to approve the item. Commissioner Tavaglione seconded the motion, which carried 10-0. (Commissioner Frommer was absent.)

76	Financial De-Allocation and Allocation (2.5g.(2b)): De-allocate \$5,000,000 from the FY 2008-09 Lump Sum Right of Way allocation for Route 99 Projects, and allocate \$7,374,000 for Right of Way Capital for three State-administered Route 99 Bond Projects. Resolution R99-A-0708-002		Mitchell Weiss	A	C
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This item was presented together with Item 75 and was approved.

Financial Allocations for Projects with Costs that Exceed 20 Percent of the Programmed Amount					
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77	Financial Allocation (2.5d.): \$100,200,000 for one SHOPP project with costs that exceed 20 percent of the programmed amount. -- 04-Ala-880 – SHOPP project in Alameda County. Current programmed amount of \$73,202,000 and current estimate of \$100,200,000, for an increase of 36.9 percent over the programmed amount. Resolution FP-08-25		Mitchell Weiss Rachel Falsetti	A	D
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Mitchell Weiss, CTC Deputy Director, presented this item and recommended approval.

Commissioner Alvarado asked if the cost increase was related to delay in the project delivery. Bijan Sartipi, Caltrans District 4 Director, answered that a portion of the cost increase was due to delay in relocation of utilities.

Commissioner Ghielmetti asked when the project would be started. Mr. Sartipi replied that the bidding process would open in January, construction would begin in June (approximately), and completion would take about five years.

Commissioner Zarian moved to approve the item. Commissioner Ghielmetti seconded the motion, which carried 8-0. (Commissioners Dunn, Frommer and Lindsey were absent.)

Financial Allocations for Supplemental Funds					
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Tab # / Time	Item Description		Presenter	Status*	
78	Financial Allocation (2.5e.): \$16,248,000 in supplemental funds to close out construction contracts on two previously voted projects. -- 08-SBd-15 – SHOPP/STIP project in San Bernardino County. Current allocation is \$92,172,000. This request for \$4,912,000 results in an increase of 5.6 percent over the current allocation. -- 08-Riv-60 – SHOPP/STIP project in Riverside County. Current allocation is \$34,128,000. This request for \$11,336,000 results in an increase of 33.2 percent over the current allocation. Resolution FA-08-07		Mitchell Weiss Rachel Falsetti	A	D

Mitchell Weiss, CTC Deputy Director, presented this item and recommended approval.

Commissioner Tavaglione moved to approve this item. Commissioner Ghielmetti seconded the motion, which carried 8-0. (Commissioners Dunn, Frommer, and Lindsey were absent.)

Financial Allocations for STIP Projects					
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79	Financial Allocation (2.6a.): \$6,375,000 for two locally-administered STIP transit projects. Contributions from local sources: \$766,000. Resolution MFP-08-04		Laurel Janssen Gale Ogawa	A	D
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Laurel Janssen, CTC Assistance Deputy Director, presented this item and recommended approval.

Commissioner Tagami asked if BART was working with PG&E for energy usage reduction purposes. Todd Morgan of BART answered that the project was nearing the end of its design phase and they had not been working with PG&E.

Commissioner Earp moved to approve the item. Commissioner Tavaglione seconded the motion, which carried 8-0. (Commissioners Dunn, Frommer, and Lindsey were absent.)

Technical Corrections to Previously Approved Resolutions					
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80	Technical Correction to previously approved bond allocation resolutions for one TCIF and ten CMIA State-administered projects, to document allocations of construction support totaling \$90,883,000.		David Brewer	A	C
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Laurel Janssen, CTC Assistance Deputy Director, presented this item and recommended approval.

Commissioner Zarian moved to approve the item. Commissioner Alvarado seconded the motion, which carried 8-0. (Commissioners Dunn, Frommer, and Tavaglione were absent.)

POLICY MATTERS					
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81	Adoption of Proposition 1B State-Local Partnership Program Guidelines Resolution SLP1B-G-0809-01		David Brewer	A	C
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David Brewer, CTC Chief Deputy Director, presented this item. He proposed a solution to add the following language to the adoption resolution without changing the guidelines.

Tab # / Time	Item Description		Presenter	Status*	
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“WHEREAS several regional agencies have asked that prior expenditures qualify for match or reimbursement for allocations made over multiple years,”

“BE IT FURTHER RESOLVED that the Commission intends to approve letters of no prejudice as part of its annual program of projects if it has received legislative authority to do so, and that the Commission intends that approval of a letter of no prejudice would authorize an eligible applicant for formula funding shares to expend its own funds in advance of a supplemental allocation and to have those funds qualify for reimbursement and the required local match,”

Commissioner Earp moved to approve the item. Commissioner Lindsey seconded the motion, which carried 9-0. (Commissioners Dunn and Frommer were absent.)

82	State and Federal Legislative Matters		Robert Chung	A	C
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Robert Chung, CTC Deputy Director, presented this item and requested guidance on whether the Commission should consider its policy by topic area prior to taking a position on legislation addressing that topic.

Commissioner Ghielmetti suggested adopting a policy stating that the Commission work through its ex officio members to take a position on bills in their early stages. Commissioner Lindsey agreed with the suggestion.

Commissioner Lindsey moved to approve the guidelines for state legislation. Commissioner Alvarado seconded the motion, which carried 9-0. (Commissioners Dunn and Frommer were absent.)

Chair Chalker asked the Commission if they wished to delegate authority to the Executive Committee to form an opinion on any information regarding the federal economic stimulus package. Commissioner Lindsey expressed his support of the idea. There were no other comments from Commissioners.

83	Roberti Bill Property Re-acquisition		Robert Chung Bimla Rhinehart	A	D
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Robert Chung, CTC Deputy Director, presented this item and recommended the Commission authorize the creation of a new line item in the annual right of way capital lump sum allocation for the re-purchase of properties sold under the Roberti Bill. Bimla Rhinehart, Caltrans Chief Division of Right of Way, explained the details of the proposed new line item. She stated that it would allow the department flexibility to re-purchase properties and meet Roberti Bill obligations.

Commissioner Ghielmetti asked Ms. Rhinehart if this was aimed at the 710. She replied that it was currently on the 710. Commissioner Ghielmetti suggested that they speak with the Commission’s ex officio members about repealing the Roberti Bill. Ms. Rhinehart replied that the department has made unsuccessful attempts to repeal the Roberti Bill.

Commissioner Tavaglione moved to approve the item. Commissioner Alvarado seconded the motion, which carried 8-0. (Commissioners Dunn, Frommer, and Guardino were absent.)

84	Notice of the FFY 2007-08 Federal Transit Administration (FTA) Section 5310 Elderly & Disabled Transit Program		Juan Guzman	I	C
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This item was presented on the Information Calendar on Thursday, December 11, 2008.

<u>PROGRAM STATUS</u>					
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85	Monthly Report on Toll Bridge Program Oversight Committee Activity		Dina Noel	I	C
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<u>Tab # / Time</u>	<u>Item Description</u>		<u>Presenter</u>	<u>Status*</u>	
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Dina Noel, CTC Supervising Transportation Engineer, presented this item and summarized key milestones for 2009, including bridge shipments and section completion dates.

86	Quarterly Non-Toll Bridge Seismic Safety Retrofit Report		Stephen Maller Karla Sutliff	I	D
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Stephen Maller, CTC Principal Transportation Engineer, presented this item. He directed the Commission's attention to page 5 of the book item's chart detailing delay in the city of Oakland.

87	Proposition 1B – Local Bridge Seismic Retrofit Program Year-End Report		Stephen Maller Earl Seaberg	A	D
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Stephen Maller, CTC Principal Transportation Engineer, presented this item. He reported that most projects had been awarded, and some had been completed. No action was taken or required.

88	Monthly Report on Projects Amended into the SHOPP by Department Action		Mitchell Weiss Rachel Falsetti	I	D
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This item was presented on the Information Calendar on Thursday, December 11, 2008.

89	SHOPP Allocation Plan		Mitchell Weiss Rachel Falsetti	A	D
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Mitchell Weiss, CTC Deputy Director, presented this item and recommended approval.

Commissioner Ghielmetti asked if the SHOPP would be prioritized if federal economic stimulus funds were received. Rachel Falsetti confirmed that was the intention.

Commissioner Zarian moved to approve the item. Commissioner Tavaglione seconded the motion, which carried 8-0. (Commissioners Dunn, Frommer, and Guardino were absent.)

90	FY 2008-09 1 st Quarter Finance Report		Mitchell Weiss Norma Ortega	I	D
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Mitchell Weiss, CTC Deputy Director, presented this item. There were no comments or questions for Commissioners.

91	Proposition 1B CMIA/Route 99 Corridor Quarterly Report		Andre Boutros Karla Sutliff	A	D
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Andre Boutros, CTC Chief Delivery Officer, introduced Karla Sutliff, Caltrans Chief Division of Project Management, to present this item. Ms. Sutliff briefly summarized the report and reported that there would be more explanation of problems in the next quarter's report in approximately 3 months.

Commissioner Ghielmetti asked for more detail on the items in the report marked in red or yellow. Ms. Sutliff explained that items marked in red indicated a known project impact to scope, budget or schedule; and yellow indicated a potential impact. CTC Executive Director John Barna emphasized that the STIP guidelines do not permit over expenditure against the budget.

No action was taken or required on this item.

Action Item: Commissioner Ghielmetti would like projects not in "green" to come back for discussion in January.

<u>Tab # / Time</u>	<u>Item Description</u>		<u>Presenter</u>	<u>Status*</u>	
92	FY 2008-09 1 st Quarter Project Delivery Report		Andre Boutros Karla Sutliff	I	D

Andre Boutros, CTC Chief Delivery Officer, introduced Karla Sutliff, Caltrans Chief Division of Project Management, to present this information item. She reported that 37 of 38 projects planned for the first quarter of the 2008/2009 fiscal year were delivered. There were no questions or comments from Commissioners.

93	FY 2008-09 1st Quarter Rail Operations Report		Robert Chung Lam Nguyen	I	D
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Robert Chung, CTC Deputy Director, introduced Pat Merrill, Caltrans Division of Rail, who presented a Power Point presentation on this item.

Commissioner Tagami asked what progress had been made in the implementation of ways to increase revenue and enhance customer service. CTC Executive Director John Barna stated that he would provide information to Commissioner Tagami.

Commissioner Lindsey asked if the Commission would discuss these issues further at the January CTC meeting. Director Barna replied that it would be put on the agenda.

Action Item: Provide Commissioner Tagami with a breakdown of advertising and food revenues from rail operations.

94	FY 2007-08 Annual Real Property Services Report		Robert Chung Bimla Rhinehart	I	D
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Robert Chung, CTC Deputy Director, introduced Bimla Rhinehart, Caltrans Chief Division of Right of Way, to present this informational item. There were no questions or comments from Commissioners.

95	FY 2008-09 1 st Quarter Excess Land Sales Report		Robert Chung Bimla Rhinehart	I	D
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Robert Chung, CTC Deputy Director, introduced Bimla Rhinehart, Caltrans Chief Division of Right of Way, to present this informational item.

Commissioner Earp asked if there was a financial advantage to Caltrans to dispose of properties immediately as opposed to hanging on to them. Ms. Rhinehart replied that it depended on the market value of the properties.

Commissioner Ghielmetti asked if the money earned from the sale of property went into the public transportation account (PTA). Ms. Rhinehart replied that it went into the PTA and then on to the general fund. Commissioner Ghielmetti asked if that money would be put back into transportation funding or stayed in the general fund. Ms. Rhinehart replied that the money remained in the general fund.

96	Local Assistance Lump Sum Year-End Report for Federal FY 2008		Robert Chung Earl Seaberg	I	D
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Robert Chung, Chief Deputy Director, introduced Earl Seaberg, Caltrans Acting Chief Division of Local Assistance, who presented this informational item.

Commissioner Tagami suggested that if excess land be rented in a long-term lease in lieu of selling in order to keep funds available to the public transportation account.

	<u>Request for Waiver of AB 1012 Provisions</u>				
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Tab # / Time	Item Description		Presenter	Status*	
97	Request for Waiver of AB 1012 "Use it or Lose it" Provisions for FFY 2006 Unobligated RSTP funds for three projects totaling \$552,027 for the Tahoe Metropolitan Planning Organization. Waiver-08-43		Robert Chung Earl Seaberg	A	D

Robert Chung, CTC Deputy Director, presented this item and recommended approval.

Commissioner Ghielmetti moved to approve the item. Commissioner Tavaglione seconded the motion, which carried 8-0. (Commissioners Dunn, Frommer, and Guardino were absent.)

<u>PROGRAM STATUS</u>					
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98	Final Project R/W Expenditures for Route 210 Corridor STIP Project in San Bernardino County		David Brewer Rachel Falsetti	I	D
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Mitchell Weiss, CTC Deputy Director, presented this informational item. There were no comments or questions from Commissioners.

<u>Request to Extend the Period of Project Development</u>					
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99	Request to Extend the Period of Project Development Expenditure for one locally-administered STIP project for the City of Modesto for \$200,000, per STIP Guidelines. Waiver-08-42		David Brewer Earl Seaberg	A	D
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Juan Guzman, CTC Associate Deputy Director, presented this item and recommended denial of the extension request due to non-responsiveness after attempted communication.

Public speaker Vince Harris, Executive Director of the Stanislaus Council of Governments, stated that he did not dispute staff documentation of non-responsiveness.

Public speaker Loren Holt, Division Manager for the City of Modesto, acknowledged that his staff did miss the final filing deadline for the project for miscellaneous reasons. He stated that they still wished to request the extension. He also stated that only an 8 month extension would be needed, instead of the original request for 20 months.

Chair Chalker asked for the department's position on granting an 8 month extension. Earl Seaberg, Caltrans Acting Division Chief of Local Assistance, stated that the department did not object to an 8 month extension, but STIP guidelines required that the decision be a Commission action.

Commissioner Ghielmetti asked what would be required to keep the project moving if the extension were not granted. Mr. Seaberg replied that the funds would need to be reprogrammed and the project would be further delayed.

Commissioner Tagami moved to approve the 8 month extension. Commissioner Ghielmetti seconded the motion, which carried 5-3. (Commissioners Alvarado, Lindsey, and Zarian voted no. Commissioners Dunn, Frommer, and Guardino were absent.)

<u>Request to Extend the Period of Contract Award</u>					
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<u>Tab # / Time</u>	<u>Item Description</u>		<u>Presenter</u>	<u>Status*</u>	
100	Request to Extend the Period of Contract Award for eight SHOPP projects totaling \$108,709,000, two STIP (Proposition 1B) projects totaling \$77,574,000, and one STIP Transportation Enhancement project for \$3,472,000, per Resolution G-06-08. Waiver-08-37		Mitchell Weiss Rachel Falsetti	A	D

Juan Guzman, CTC Associate Deputy Director, presented items 100-104 together. He noted a change to item 100 as noted in the change list.

Commissioner Tavaglione moved to approve the items. Commissioner Alvarado seconded the motion, which carried 8-0. (Commissioners, Dunn, Frommer, and Guardino were absent.)

101	Request to Extend the Period of Contract Award for two STIP intercity rail projects totaling \$762,000, per Resolution G-06-08. Waiver-08-36		Juan Guzman Lam Nguyen	A	D
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This item was presented together in a group containing items 100-104 and was approved.

102	Request to Extend the Period of Contract Award for one locally-administered Route 99 widening project in Butte County for \$4,418,000 programmed in the STIP, per Resolution G-06-08. Waiver-08-38		Juan Guzman Rachel Falsetti	A	D
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This item was presented together in a group containing items 100-104 and was approved.

103	Request to Extend the Period of Contract Award for ten locally-administered STIP projects totaling \$8,082,000, per STIP Guidelines. Waiver-08-39		Juan Guzman Earl Seaberg	A	D
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This item was presented together in a group containing items 100-104 and was approved.

<u>Request to Extend the Period of Project Completion</u>					
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104	Request to Extend the Period of Project Completion for one locally-administered STIP project for the San Francisco Municipal Transportation Agency for \$368,000, per STIP Guidelines. Waiver-08-41		Juan Guzman Earl Seaberg	A	D
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This item was presented together in a group containing items 100-104 and was approved.

<u>OTHER MATTERS / PUBLIC COMMENT</u>					
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There were no additional public comments.

12:15 pm	Adjourn				
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The meeting was adjourned on Thursday, December 11, 2008 at approximately 12:30 pm.

<u>Tab # / Time</u>	<u>Item Description</u>		<u>Presenter</u>	<u>Status*</u>
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Original Signed 01/02/09

JOHN F. BARNA, JR., EXECUTIVE DIRECTOR