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BUSINESS, TRANSPORTATION AND HOUSING AGENCY REPORT (#5)

- 5 • Report by Secretary and/or Assistant Secretary 1.(5)**

John Ferrera, Assistant Secretary BT&H, began the agency report by thanking both Jim Nicholas and Tony Harris for their years of service with Caltrans. Mr. Ferrera reported on the Indian gaming compact, which needs to be ratified by the Legislature.

CALTRANS REPORT (#6-12)

- 6 • Report by Caltrans' Director and/or Deputy Director 1.(6)**

Tony Harris, Caltrans, announced that he is resigning from state service effective July 16, 2004 to pursue other opportunities. Commissioner Balgenorth presented Tony Harris and Jim Nicholas each with a resolution plaque honoring them for their service. The Commissioners asked questions regarding the bid on the Bay Bridge.

- **At the August Commission meeting provide an update on the Bay Bridge. (August Agenda Item)**
ACTION: Ross Chittenden

- 7 • Caltrans Monthly FY 2003-04 Finance Report 3.1**

Bimla Rhinehart, Caltrans, presented the Caltrans Monthly FY 2003-04 Finance Report. Ms. Rhinehart indicated the forecasts are on track and that the cash balances compared to forecast showed no change in the State Highway Account (SHA), the Public Transit Account (PTA) is up \$15 million, and the Traffic Congestion Relief Fund (TCRF) is up \$48 million. The Federal Budget has passed, but the transportation reauthorization act has not passed. Federal program funding is authorized through June 30, 2004. The Federal Budget Act was signed on January 23, 2004, which includes the 2004 transportation appropriation. The May revision to the 2004-05 Governor's budget and how it would impact the cash forecasts on the SHA, PTA, TIF and TCRP, and a list of the assumed 2004-05 allocation targets were reviewed. Bob Garcia, Caltrans, presented an update on the ethanol fix. Mr. Garcia reminded that the Governor's May Revise proposal has not been adopted by the Legislature, and is subject to change. Commissioner Lindsey requested that the Department provide an update on the local obligation authority (OA) mining effort.

- **At the October Commission meeting provide an update on the local OA cash mining effort. (October Agenda Item)**
ACTION: Bob Garcia

- 8 • Fifth Cycle AB 1012 Unobligated RSTP, CMAQ and 3.6**
Regional TEA "Use It or Lose It" Notification.

Norma Ortega, Caltrans, reviewed the fifth cycle AB 1012 unobligated RSTP, CMAQ, and regional TEA "use it or lose it" balances. Ms. Ortega indicated that the Department expects the local agencies will fully utilized the unobligated balances by the end of December. Funds not obligated by December 29, 2004 become subject to Commission redirection on that date. Ms. Ortega further reiterated that the Governor's May budget revise eliminated the local obligation authority (OA) cash mining effort.

- 9 • Local Assistance Quarterly Lump Sum Allocation 3.7**
Status Report for FY 2003-04.

Norma Ortega, Caltrans, presented the Local Assistance Quarterly Lump Sum Allocation Status Report for FY 2003-04. The Commission's local assistance lump sum allocation for FY 2003-04 was \$966 million. As of April 30, 2004, local agencies have expended \$332.6 million or approximately 34% against the \$966 million

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allocated by the Commission. This delivery rate is slower than last year due to the delays in approval of the new federal act, the limited obligation authority (OA) provided through continuous resolution by Congress, and the \$200 million loan of local federal OA from local assistance. Ms. Ortega said they expect to fully utilize allocation by the end of the calendar year. Commissioner Lindsey suggested changing to allocations by quarter. There was an extensive discussion by Peter De Haan, RTPA Moderator, about local delivery.

**10 • Annual FY 2004-05 Local Assistance Lump Sum 2.5j.
Allocation for \$1,135,723,000. Resolution FM-03-10**

Norma Ortega, Caltrans, presented the Annual FY 2004-05 Local Assistance Lump Sum Allocation and requested a \$1.1 billion allocation. This is a slight increase over what was requested last year.

Deputy Director Stephen Maller recommended that the Commission allocate \$775 million and keep the other \$325 million unallocated until the Department provides a final closeout report on the use of the FY 2003-04 allocation.

Commissioner Lawrence moved to approve the allocation, as recommended by staff. Commissioner Torres seconded the motion, which carried (7-0).

- **Provide final closeout report on the FY 2003-04 Local Assistance Lump Sum Allocation; include comparisons to prior years' allocations by category. (October Agenda Item)**
ACTION: Terry Abbott

**11 • Preliminary Close-Out Report on FY 2003-04 Lump 3.8
Sum Annual Allocation for Caltrans Right of Way
Program**

Wayne Harrold, Caltrans Right-of-Way, presented the preliminary close-out report and indicated the Department will expend the full allocation amount by June 30, 2004.

Deputy Director Stephen Maller clarified the issue and reviewed the current status.

**12 • Annual FY 2004-05 Right of Way Lump Sum 2.5k.
Allocation for \$250,000,000. Resolution FM-03-11**

Wayne Harrold, Caltrans Right-of-Way, presented the Annual FY 2004-05 Caltrans Right-of-Way Allocation and requested a \$250 million allocation.

Deputy Director Stephen Maller presented further information on this item and recommended that the Commission allocate \$180 million of the \$250 million requested for allocation and keep the remaining \$70 million unallocated until the Department provides a final closeout report on the use of the FY 2003-04 allocation.

Commissioner Lindsey moved to approve the allocation, as recommended by staff. Commissioner Lawrence seconded the motion, which carried (7-0).

- **Provide final closeout report on the FY 2003-04 Right-of-Way Allocation; include comparisons to prior years' allocations by category. (August Agenda Item)**
ACTION: Brice Paris

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G-03-14, Traffic Congestion Relief (TCR) Program Policy for Managing Cash Between TCR Projects.

This item was presented on the Information Calendar.

- 26 IC • Pending Traffic Congestion Relief (TCR) Project Letters of No Prejudice (Letter), per Resolution G-03-12 – Seven Letter requests totaling \$569,325,000. 4.3b.(2)

This item was presented on the Information Calendar.

- 27 IC • Pending Traffic Congestion Relief (TCR) Project Allocations – 21 project allocations totaling \$146,170,000. 4.3b.(3)

This item was presented on the Information Calendar.

- 28 IC • Aeronautics Account Pending Allocations – 17 Projects totaling \$2,672,000. 4.3c.

This item was presented on the Information Calendar.

CONSENT CALENDAR (#29-59) CC

Deputy Director Robert Chung asked if anyone wished to speak on Item #58, regarding time extension requests. Since no one came forward, Mr. Chung recommended approving the Consent Calendar (Items #29 through #59), with the following modifications: Add Items #65 and #66 and note corrections to Item #31, #42, #51, #52, #56 and #59, as referenced on the "Changes to the CTC Agenda" pink handout.

Commissioner Lawrence moved to approve the Consent Calendar, as modified and recommended by staff. Commissioner Torres seconded the motion, which carried 7-0.

- 29 CC • STIP Amendment 02S-129 2.1a.(1)
 The Metropolitan Transportation Commission (MTC) and the Department are requesting this amendment. MTC requests the Commission approve this amendment for AB 3090 Replacement. MTC will use City of Richmond Redevelopment Agency funds to replace \$2,100,000 in RIP funds and \$2,000,000 in IIP funds for Construction in FY 2003-04 for the Richmond Intermodal Transfer Station project (PPNO 9878). MTC proposes to program a total of \$2,100,000 in RIP funds and \$2,000,000 in IIP funds in FY 2007-08 for a replacement project (PPNO 9878A) to be identified at a later date. The City of Richmond Redevelopment Agency and the West Contra Costa Transportation Advisory Committee (WCCTAC) concur with this request. This is a revenue neutral programming action. The replacement project is subject to reprogramming in the 2004 STIP.

This item was approved on the Consent Calendar.

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- 30 CC • **STIP Amendment 02S-130** 2.1a.(2)
Tulare County is requesting this amendment. Tulare County requests the Commission approve the change of two AB 3090 Replacement projects (PPNO D004 and D003) for \$750,000 in RIP funds in FY 2005-06 to AB 3090 Reimbursement projects in FY 2006-07. This is a revenue neutral programming action. The reimbursement projects are subject to reprogramming in the 2004 STIP.

This item was approved on the Consent Calendar.

- 31 CC • **STIP Amendment 02S-131** 2.1a.(3)
The Los Angeles County Metropolitan Transportation Authority (LACMTA) is requesting this amendment. LACMTA proposes to shift a total of \$1,005,000 in RIP funds from two Route 138 corridor projects (PPNOs 3327 and 3331) to another project (PPNO 3329) in the corridor to accommodate the cost increase. LACMTA also requests the Commission approve two projects for AB 3090 Replacement. LACMTA proposes to use local funds (Proposition C) to replace a total of \$7,705,000 in RIP and Grandfathered RIP (GF-RIP) funds for Construction for two projects (PPNOs 3329 and 0422Y) in Los Angeles County. LACMTA will program a total of \$7,705,000 in FYs 2005-06 for two replacement projects to be identified at a later date. This is a revenue neutral programming action. The replacement projects are subject to reprogramming in the 2004 STIP.

One of the AB 3090 projects, the Route 210 La Verne Landscape Mitigation Project (PPNO 2022Y) for \$1,500,000, was withdrawn prior to the meeting, leaving two AB 3090 requests for consideration.

This item was approved on the Consent Calendar.

- 32 CC • **Traffic Congestion Relief (TCR) Application Amendment Approval. 11 application amendments, no new TCR funding. Resolution TAA-04-05, Amending Resolutions TA-00-01, TA-00-02, TA-01-11, TA-02-01, TA-02-04, TAA-03-02, TAA-03-03, and TAA-03-10** 2.1c.(3)
-- Project #1.1 – BART to San Jose; extend BART from Fremont to Downtown San Jose in Santa Clara and Alameda Counties – Extension from Fremont to Warm Springs. The Santa Clara Valley Transportation Authority (VTA) and the San Francisco Bay Area Rapid Transit District are requesting this amendment to update project schedule. Original TCR application approved under Resolution TA-02-05, as amended by Resolution TAA-03-03.
-- Project #1.2 – BART to San Jose; extend BART from Fremont to Downtown San Jose in Santa Clara and Alameda Counties – Extension from Warm

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Springs to downtown San Jose. The VTA is requesting this amendment to update project schedule. Original TCR application approved under Resolution TA-02-04.

-- Project #7.1 – CalTrain; expand service to Gilroy; improve parking, stations, and platforms along UPRR line in Santa Clara County. The VTA is requesting this amendment to update project schedule. Original TCR application approved under Resolution TA-02-01.

-- Project #20.1 – San Francisco Muni Third Street Light Rail; extend third Street line to Chinatown (tunnel) in the City and County of San Francisco – Initial Operating Segment. The San Francisco Municipal Transportation Agency is requesting this amendment to update project schedule and funding plan. Original TCR application approved under Resolution TA-01-11.

-- Project #27.2 – Vasco Road Safety and Transit Enhancement Project in Alameda and Contra Costa Counties – ACE Commuter Parking. The Alameda County Congestion Management Agency is requesting this amendment to update project schedule. Original TCR application approved under Resolution TAA-03-03.

-- Project #28 – Parking Structure at Transit Village at Richmond BART Station in Contra Costa County. The City of Richmond is requesting this amendment to update project schedule and funding plan. Original TCR application approved under Resolution TA-01-06, as amended by Resolution TAA-03-03.

-- Project #37.2 – Los Angeles Mid-City Transit Improvements; build Bus Rapid Transit system or Light Rail Transit in Mid-City/Westside/Exposition Corridors in Los Angeles County. Los Angeles County Metropolitan Transportation Authority is requesting this amendment to update project schedule. Original TCR application approved under Resolution TA-02-06, as amended by Resolution TAA-03-10.

- Traffic Congestion Relief (TCR) Application Amendment Approval.

-- Project #48 – Route 101; corridor analysis and PSR to improve corridor from Route 170 (North Hollywood Freeway) to Route 23 in Thousand Oaks (Ventura County) in Los Angeles and Ventura Counties. The California Department of Transportation is requesting this amendment to update project schedule. Original TCR application approved under Resolution TA-00-01.

-- Project #75.1 – San Diego Transit Buses; acquire about 85 low-emission buses for San Diego transit service in San Diego County. The Metropolitan Transit Development Board (MTDB) is requesting this amendment to update project schedule. Original TCR application approved under Resolution TA-01-11.

-- Project #78 – East Village access; improve access to light rail from new in-town East Village development in San Diego County. The MTDB is

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requesting this amendment to update project schedule. Original TCR application approved under Resolution TA-00-02.
 -- Project #139.2 – Balboa Park BART Station; phase I expansion – MUNI Project Improvements. The San Francisco Bay Area Rapid Transit District is requesting this amendment to update project schedule. Original TCR application approved under Resolution TAA-02-02, as amended by Resolution TAA-03-02.

This item was approved on the Consent Calendar.

- 33 CC • Project Approval to the City of Vallejo for \$581,841 for the Baylink Permanent Ferry Maintenance Facility Project – Proposition 116 Waterborne Ferry Program, PUC Section 99646. Resolution PA-04-03 2.1e.

This item was approved on the Consent Calendar.

- 34 CC • Approval of Project for Future Consideration of Funding – Construct a chain off area and install changeable message signs near Crystal Lake and Cisco Grove (ND). Resolution E-04-11 2.2c.(1)

This item was approved on the Consent Calendar.

- 35 CC • Approval of Project for Future Consideration of Funding – Route 395 in Inyo County – Rehabilitate roadway near Coco Junction (ND). Resolution E-04-12 2.2c.(2)

This item was approved on the Consent Calendar.

- 36 CC • Approval of Project for Future Consideration of New Public Road Connection and Future Consideration of Funding – Route 99 in Madera County – Construct a freeway near Fairmead (ND). Resolution E-04-13 2.2c.(3)

This item was approved on the Consent Calendar.

- 37 CC • Approval of Project for Consideration of Route Adoption and Future Consideration of Funding – Controlled Access Highway at 09-Iny-395 KP R104.6/114.6 (PM R65.0/71.2) in Inyo County near Manzanar (ND). Resolution E-04-14 2.2c.(4)

This item was approved on the Consent Calendar.

- 38 CC • One Route Adoption for a Controlled Access Highway at 09-Iny-395 KP R104.6/114.6 (PM R65.0/71.2) in Inyo County near Manzanar. Resolution HRA-04-02 2.3a.

This item was approved on the Consent Calendar.

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| 39 CC | <ul style="list-style-type: none"> • One New Public Road Connection at Road 20 on Route 99 in Madera County, 06-Mad-99 KP 33.6 (PM20.9) Resolution S-724 | 2.3b. |
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This item was approved on the Consent Calendar.

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| 40 CC | <ul style="list-style-type: none"> • Two Relinquishment Resolutions -- 04-CC-4-PM 0.4 Route 4 in the City of Hercules Resolution R-3580 -- 12-Ora-1-PM 14.1/17.4 Route 1 in the City of Newport Beach Resolution R-3581 | 2.3c. |
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This item was approved on the Consent Calendar.

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| 41 CC
6 AYES | <ul style="list-style-type: none"> • Four Resolutions of Necessity Resolutions C-18920 through C-18923 | 2.4b. |
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This item was approved on the Consent Calendar.

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| 42 CC | <ul style="list-style-type: none"> • Director's Deeds Items #2 Through #11 Excess Lands – Return to State \$2,585,000 Return to Others: \$0 | 2.4d. |
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Director's Deed #1, 01-HUM-101-79.23 (DD 011185-01-02) was withdrawn prior to the meeting and was referenced in the "Changes to CTC Agenda" pink handout.

This item was approved on the Consent Calendar.

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| 43 CC | <ul style="list-style-type: none"> • Financial Allocation for Nine Minor Projects On the FY 2003-04 SHOPP Allocation Plan totaling \$3,570,000 plus \$2,400,000 from other sources. Resolution FP-03-51 | 2.5a.(1) |
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This item was approved on the Consent Calendar.

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| 44 CC | <ul style="list-style-type: none"> • Financial Allocation for Eight Minor SHOPP Safety Projects On the FY 2003-04 SHOPP Allocation Plan totaling \$3,632,000 plus \$285,000 from other sources. Resolution FP-03-52 | 2.5a.(3) |
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This item was approved on the Consent Calendar.

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| 45 CC | <ul style="list-style-type: none"> • Financial Allocation for 15 SHOPP Projects On the FY 2003-04 SHOPP Allocation Plan totaling \$95,647,000. Resolution FP-03-54 | 2.5b.(2) |
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This item was approved on the Consent Calendar.

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| 46 CC | <ul style="list-style-type: none"> • Financial Allocation for Seven SHOPP Projects totaling \$13,271,000 Amended into the SHOPP by Departmental action. Resolution FP-03-55 | 2.5b.(3) |
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This item was approved on the Consent Calendar.

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- 47 CC • **Financial Allocation for One SHOPP Managed TEA Project for \$1,613,000. Resolution FP-03-56** 2.5b.(4)

This item was approved on the Consent Calendar.

- 48 CC • **Financial Allocation for Three Local Assistance Environmental Enhancement and Mitigation (EEM) Projects totaling \$988,244 plus \$2,003,186 from other sources. Resolution FP-03-57** 2.5c.(3)

This item was approved on the Consent Calendar.

- 49 CC • **Financial Allocation Amendment for Four Local Assistance Environmental Enhancement and Mitigation (EEM) Projects totaling (\$988,244). Resolution FP-03-58, Amending Resolution FP-03-25** 2.5c.(10)

This item was approved on the Consent Calendar.

- 50 CC • **Financial Allocation for One Proposition 116 Waterborne Ferry Project for \$109,000, per PUC 99646. Resolution BFP-03-05** 2.6b.(1)

This item was approved on the Consent Calendar.

- 51 CC • **Financial Allocation for One Proposition 116 Non-Urban Bike Project for \$215,945, per PUC 99628. Resolution BFP-03-06** 2.6b.(2)

This item was approved on the Consent Calendar with a technical correction to the project approval number.

- 52 CC • **Financial De-Allocation from Four Proposition 116 Non-Urban Bike Projects totaling \$215,945. Resolution BFA-03-03, Rescinding Resolutions BFP-98-20 and BFP-94-24, and Amending Resolutions BFP-98-16 and BFP-93-28** 2.6c.

This item was approved on the Consent Calendar with technical corrections to the project approval number.

- 53 CC • **Allocation of \$572,000 for FY 2003-04 California Aid to Airports Program (CAAP) funds for Two Projects from the 2002 Aeronautics Program. Resolution FDOA-2004-2** 2.7a.
 -- County of Alpine, Alpine County Airport - \$72,000. Remove hazardous trees, grade safety area (Safety project).
 -- Yucca Valley Airport District – Yucca Valley Airport in San Bernardino County - \$500,000. Remove hazardous drain in Runway Safety Area (Safety project).

This item was approved on the Consent Calendar.

- 54 CC • **Allocation of \$3,100,000 for FY 2004-05 Aeronautics Allocation set-aside to match Federal Airport Improvement Program (AIP) Grants in the 2004 Aeronautics Program. Resolution FDOA-2004-3** 2.7b.

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This item was approved on the Consent Calendar.

- 55 CC • Technical Correction to STIP Amendment 02S-124 approved April 8, 2004, to clarify reimbursement eligibility language. 2.9**

This item was approved on the Consent Calendar.

- 56 CC • Adoption of 2004 Aeronautics Program Resolution G-04-04 4.4**

This item was approved on the Consent Calendar.

There was a technical correction to Item 56 to clarify the project description in the book item.

- 57 CC • Annual Review of the Rate for Local Government Matching of California Aid to Airport Program (CAAP) Grants. Resolution G-04-05 4.5**

This item was approved on the Consent Calendar.

- 58 CC • Request to Extend the Period of Project Allocation for 11 local STIP projects totaling \$14,108,000. Waiver-03-53 2.8a.(1)**

This item was approved on the Consent Calendar.

- 59 CC • Request to Extend the Period of Project Allocation for 17 STIP projects totaling \$191,873,000. Waiver-03-54 2.8a.(2)**

This item was approved on the Consent Calendar. Project #6, City of Fresno, Rt. 180 for \$36,781,000 (PPNO 0090F), was withdrawn prior to the meeting.

PRESENTATIONS (#60-61)

- 60 • Santa Clarita Presentation on Local Transportation Issues 5.2b**

Bob Kellar, Mayor of the City of Santa Clarita, gave a PowerPoint presentation on the City of Santa Clarita's Cross Valley Connector, which consists of 8.5 miles of new eight- and six-lane arterial roadways, bridges and intersections. Mr. Kellar reviewed the funding, the construction of four major bridge structures, the various segments of the Cross Valley Connector, and the broad support received for the project.

- 61 • Presentation on I-5 Corridor Through Los Angeles County 5.2a**

Doug Failing, Caltrans District 7 Director, presented the I-5 Corridor improvements overview.

Victor Lindenheim, Executive Director of the Golden State Gateway Coalition, reported on the I-5 Gateway Improvement Project in Northern Los Angeles (L.A.) County that adds HOV and truck lanes from SR-14 to SR-126. His report included the project scope, benefits, estimated costs, and the status of the project. Mr. Lindenheim said there have been some efforts to fund this project on their own.

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Rich Williams, Caltrans Legal, reviewed the reasons why a quit claim deed is necessary.

Peter Lit, Greenwood Commons Trust, reviewed the reasons why the two items (#62 and #63) have related problems and that he disagreed with the project scope.

Jim Nicholas, Caltrans, reviewed the purpose and need for the project, noting that the project is necessary for public safety and requested Commission approval of the Resolution of Necessity.

Commissioner Lawrence moved to approve the Resolution of Necessity. Commissioner Ghilmetti seconded the motion, which carried (6-0-1) (Commissioner Torres abstained).

63	-- Greenwood Commons Trust	2.4a.(1)
6 AYES	01-Men-1-KP 54.22	
	Resolution C-18916	

Deputy Director Stephen Maller presented the Resolution of Necessity for the Greenwood Commons Trust. The condemnation involves a fee take of 0.25 acres from a 71.93 acre property. The property is needed for an \$8.7 million bridge replacement project on Route 1 near the town of Elk in Mendocino County. The property is owned by the Greenwood Commons Trust and is used as open space south of the town of Elk.

Peter Lit, Greenwood Commons Trust, objected to the resolution of necessity.

Mr. Maller recommended the Commission approve the Resolution of Necessity.

Commissioner Hallisey moved to approve the resolution. Commissioner Lawrence seconded the motion, which carried (6-0-1) (Commissioner Torres abstained).

64	-- Pablo Guerrero, et al.	2.4a.(4)
6 AYES	06-Fre-180-KP 87.9	
	Resolution C-18919	

Deputy Director Stephen Maller asked if Pablo Guerrero or his representative was present and interested in appearing before the Commission regarding this resolution. Since no one responded, Mr. Maller recommended that the Commission approve this Resolution of Necessity.

Commissioner Torres moved to approve the resolution. Commissioner Lawrence seconded the motion, which carried (7-0).

65	-- Brutocao Vineyards	2.4a.(3)
6 AYES	01-Men-175-PM 2.0/2.3	
	Resolution C-18918	
	(Related item under 2.5a.(4))	

This item was moved to the Consent Calendar and approved. The property owner withdrew his request to appear before the Commission.

66	• Financial Allocation for One Minor SHOPP Safety Project for \$630,000. (Related item under 2.4a.(3))	2.5a.(4)
	Resolution FP-03-53	

This item was moved to the Consent Calendar and approved.

POLICY MATTERS (#67-70)

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67 • Report by Resources Agency on Status of Hearst Ranch Scenic Acquisition Project 4.7

Sam Schuchat, Executive Officer of the Coastal Conservancy addressed the Commission on behalf of the State Resources Agency and provided an update on the latest developments on the Hearst Ranch Scenic Acquisition project. Mr. Schuchat indicated that the State owns only Hearst Castle and that the castle is located on a working cattle ranch that is twice the size of San Francisco. The ranch has 18 miles of coastline. Currently, the Hearst Corporation has rights to develop the ranch. There are two components to the conservation deal. The Commission’s part is a scenic easement along the cost west of the State highway. East of the State highway will be a conservation easement financed by the Resources Agency. Mr. Schuchat said the agreement is conceptually in place. The appraisal has been done and DGS is reviewing the appraisal. The Commission has already voted \$23 million for the cost scenic easement and are finished with what they need to do. The total price to the State for the entire ranch conservation deal \$80 million. A public hearing is scheduled for 30 days before the first action by the Costal Conservancy, which should be on or about July 15. Mr. Schuchat said they hope to close the deal in October or by the end of the calendar year at the latest.

68 • Presentation by Resources Agency of Project Evaluations for FY 2004-05 Environmental Enhancement and Mitigation (EEM) Program 4.6

Assistant Deputy Director Kathie Jacobs reviewed the statutory requirements, procedures and amounts available for the Environmental Enhancement and Mitigation (EEM) program.

Dave Brubaker, Resources Agency, presented the FY 2004-05 draft list of projects that are being recommended for funding reviewing the type of projects and their importance. This is a popular grant program with a competitive process. Over 1,000 applications are received and over 40% are funded. Mr. Brubaker said these are good projects and recommended Commission approval at its August 2004 meeting.

69 • State and Federal Legislative Matters * 4.1
-- AB 1874 (Cohn) – Telecommunications within State Highway Rights of Way
***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 Diane Eidam at (916) 654-4245.**

Deputy Director Robert Chung reported on AB 1874 (Cohn) that was reviewed by the Commission’s Airspace Advisory Committee. This bill requires that permits be issued within 45 days to specified communications provider(s) for the installation of its facilities installed on state controlled-access highways allowing the communications provider to access its facilities for operation, repair, maintenance or minor alteration. Mr. Chung recommended that the Commission request Assemblymember Cohn to amend the bill to clarify that the Department shall determine the amount of consideration for the use of state’s controlled-access highway rights-of-way by a telephone, telegraph company or telecommunications provide, as permitted by Federal Law.

Commissioner Ghielmetti moved to amend staff’s recommendations to give the Department flexibility to charge ongoing rent for access rather than limiting the access to specific franchisees. Commissioner Lawrence seconded the motion, which carried (5-0). Commissioner Hallisey abstained and did not participate in the vote or the discussion.

- **Communicate to the author of AB 1874 that the intent language should clarify that the Department can require compensation for use of controlled-access rights-of-way on expressways and highways. Further express the Commission’s concerns**

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of limiting use of controlled-access rights-of-way to specific franchises and the need to make the rights-of-way available to all eligible applicants.

ACTION: Robert Chung

- 70 ~~• Proposed budget language regarding criteria to ensure that Traffic Congestion Relief Program (TCRP) projects receiving future allocations must (1) maximize economic impact, including job creation, (2) maximize goods movement and (3) leverage local, federal and private funds.~~ 4.9

This item was withdrawn prior to the meeting.

Traffic Congestion Relief (TCR) Program Application Approvals/Amendments/ Allocations (#71-74)

- 71 • Traffic Congestion Relief (TCR) Application Amendment Approval. One application amendment to redistribute existing TCR funding. Resolution TAA-04-___, Amending Resolution TA-01-11 -- Project #20.2 – San Francisco Muni Third Street Light Rail; extend third Street line to Chinatown (tunnel) in the City and County of San Francisco – Central Subway. The San Francisco Municipal Transportation Agency is requesting this amendment to update project schedule and funding plan. Original TCR application approved under Resolution TA-01-11. *(Related item under 2.6e.)* 2.1c.(2)

Deputy Director Robert Chung reviewed the uncertainty with the upcoming budget and recommended that Item #71 be placed on the TCRP Pending Application List.

- **At the August Commission meeting provide an update on the TransBay Terminal and review what the Commission’s role is in the project. *(August Agenda Item)***

ACTION: Stephen Maller/Ross Chittenden

Commissioner Lindsey moved to add Item #71 on the TCRP Pending List. Commissioner Lawrence seconded the motion, which carried (6-0) (Commissioner Hallisey was absent).

- 72 ~~• Traffic Congestion Relief (TCR) Letter of No Prejudice (Letter) Approvals. One Letter request for \$18,000,000 Resolution TL-04-___ -- Project #38.2 – \$18,000,000 for Phases 1, 2 and 4, for Los Angeles San Fernando Valley Transit Extension; (B) Build a North-South corridor bus transit project that interfaces with the foregoing East-West Burbank-Chandler corridor project and with the Ventura Boulevard Rapid-Bus project. Applicant Agency: Los Angeles County Metropolitan Transportation Authority (LACMTA) *(Related item under 2.1c.(1).)*~~ 2.1c.(4)

This item was withdrawn prior to the meeting.

- 73 • Traffic Congestion Relief (TCR) Amendment Approval. One application amendments, no new TCR 2.1c.(5)

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**funding. Resolution TAA-04-06, Amending Resolution TA-01-04
 -- Project #29 – AC Transit; buy three fuel cell buses and fueling facility for demonstration project in Alameda and Contra Costa Counties. The Alameda Contra Costa Transit District is requesting this amendment to update project scope and schedule. Original TCR application approved under Resolution TA-01-04.**

Ross Chittenden reviewed Alameda and Contra Costa (AC) Transit District’s request for the Commission to grant a time extension that would enable the District to continue to be reimbursed for eligible costs from an existing Traffic Congestion Relief allocation.

Jamie Levin, AC Transit, responded to the questions raised by the Commissioners. Commissioner Ghielmetti said he agreed with the idea of trying new technology, but would like to see more federal support.

Deputy Director Robert Chung recommended approving Item #73, which is a request to change the schedule thereby permitting AC to continue to be reimbursed for eligible costs and to approve the requested change from six to three buses, since it is still more than the statutory requirement of two fuel cell buses. A correction to Item #73 was referenced on the “Changes to the CTC Agenda” pink handout

Commissioner Ghielmetti moved to approve the requested schedule change and the reduction from six to three zero-emission fuel cell buses. Commissioner Torres seconded the motion, which carried (5-1) (Commissioner Hallisey was absent, and Commissioner Lindsey voted no).

- 74 • Traffic Congestion Relief (TCR) Project Allocation 2.6e. Amendment Approval. One allocation amendment request to redistribute approved TCR funds. (Related item under 2.1c.(2).)**

Deputy Director Robert Chung reviewed the reasons for recommending Item #74 be added to the TCRP Pending Allocation List.

Environmental Matters – Notice of Preparation of an Environmental Impact Report (EIR) (#75)

- 75 • Route 101 in Mendocino County – Realign highway 2.2a. near Leggett (NOP).**

Deputy Director Robert Chung reviewed the realignment project, which is fully funded at \$75.8 million in FY 2006-07 from the SHOPP.

Matt Brady, Caltrans Deputy District Director, reviewed Caltrans’ proposal to realign Route 101, because the current route is located on an active slide area where frequent road closures from debris and slope movement has made maintenance a continual problem. The proposed project would move about two miles of Route 101 to the west by 800-1500 feet. There are three build alternatives being considered.

Mr. Chung recommended the Commission make no comment on the Notice of Preparation for the Draft Environmental Impact Report for realigning Route 101 highway near Leggett in Mendocino County.

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Commissioner Ghielmetti expressed concern over why projects with significant safety issues are not getting the cooperation from all the agencies to fix the problem. Commissioner Ghielmetti said that Commissioner James Kellogg from Fish and Game has agreed that the Department of Fish and Game will work with Caltrans and staff on this issue. John Ferrera, BT&H, offered his assistance.

Commissioner Ghielmetti moved to accept the staff recommendation. Commissioner Lawrence seconded the motion, which carried (6-0) (Commissioner Hallisey was absent).

Environmental Matters – Comments on Documents in Circulation (Draft EIS/EIR) (#76)

- 76**
 - **Route 80 in Sacramento and Placer Counties – 2.2b. Construct freeway improvements in Citrus Heights, Roseville and Rocklin (DEIR).**

Deputy Director Robert Chung reviewed the Draft Environmental Impact Report for the construction of freeway improvements on Sacramento I-80 between Sacramento and Placer Counties. Caltrans is proposing to make improvements on 5.8 miles of freeway to deal with peak hour congestion by adding capacity on mainline I-80.

Mr. Chung recommended that the Commission, as a responsible agency, should direct Caltrans and the regions to identify the revenues necessary to fully fund the remaining project phases and indicate that it has done so prior to an allocation request for construction.

Commissioner Ghielmetti moved to refer this item back to the Department to work with Air Quality to do an EIR.

After some discussion, Chair Balgenorth reiterated the staff recommendation which was “Accept staff recommendation requiring Caltrans to indicate that it has fully funded the remaining project phases, through its local partners and itself, prior to an allocation request for construction.”

Commissioner Lindsey moved to accept staff recommendations. Commissioner Tavaglione seconded the motion, which carried (5-0) (Commissioner Ghielmetti abstained and Commissioner Hallisey was absent).

Project Business Matters (#77-92)

- 77**
 - **Financial Allocation for Five Minor SHOPP Projects 2.5a.(2) Not Proposed for Funding on the FY 2003-04 SHOPP Allocation Plan totaling \$1,599,000 plus \$172,000 from other sources.**

Deputy Director Stephen Maller presented Items #77 through #85 and indicated that the 9 items contain a total of 38 STIP and SHOPP projects valued at \$92.9 million that are delivered and ready for allocation of funds. Mr. Maller further indicated that the Department identified \$3.7 million in SHOPP savings and advised that enough cash exists to allow allocation of 5 SHOPP projects under agenda item #79.

Mr. Maller recommended that the Commission allocate \$3.7 million to Projects #4, #5, #6, #7 and #8 under agenda Item #79 and acknowledge delivery of the other 33 projects for timely use of funds requirements and move them to the Pending Allocation List.

Commissioner Lindsey moved to approve the allocation as recommended by staff. Commissioner Tavaglione seconded the motion, which carried (6-0) (Commissioner Hallisey was absent).

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- 78 • **Financial Allocation for One STIP Project On the State Highway System for \$36,781,000 plus \$20,000,000 from other sources.** 2.5b.(1)

See action taken under Item #77.

- 79 • **Financial Allocation for Eight SHOPP Projects totaling \$24,333,000 above the line but not fundable at this time.** 2.5b.(6)
Resolution FP-03-59

See action taken under Item #77.

- 80 • **Financial Allocation for Five SHOPP Projects Below the FY-2003-04 SHOPP Allocation Plan line totaling \$21,923,000.** 2.5b.(7)

See action taken under Item #77.

- 81 • **Financial Allocation for One SHOPP Project Advancement for \$4,700,000.** 2.5b.(8)

See action taken under Item #77. This Item was added to the Pending Allocation List.

- 82 • **Financial Allocation for Three Local Assistance STIP Projects Off the State Highway System totaling \$11,291,000 plus \$8,791,000 from other sources.** 2.5c.(1)

See action taken under Item #77.

- 83 • **Financial Allocation for Ten Local Assistance STIP Road Pavement Rehabilitation Projects totaling \$5,657,000 plus \$486,000 from other sources.** 2.5c.(5)

See action taken under Item #77.

- 84 • **Financial Allocation for Four Local Assistance STIP Advancement Projects totaling \$912,000.** 2.5c.(11)

See action taken under Item #77. There was a correction to Item #84, as referenced on the "Changes to the CTC Agenda" pink handout.

- 85 • **Financial Allocation for One STIP Rail/Transit Project totaling \$2,500,000.** 2.6a.

See action taken under Item #77.

- 86 • **Highway/Rail and Transit Pending Allocations – 399 project allocations totaling \$707,395,000.** 4.3a.

Ross Chittenden, Caltrans, reported on the 399 projects that are on the Pending Allocation List worth \$707.4 million. The projects were programmed in the STIP and SHOPP for delivery in FY 2002-03 and

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FY 2003-04, but were not allocated due to insufficient cash flow in the State Highway Account. Mr. Chittenden recommended that the Commission should take no formal action at this time, and that all of the projects should remain on the Pending Allocation List.

Commissioner Lindsey moved to accept the Department's report and recommendation. Commissioner Tavaglione seconded the motion, which carried (6-0) (Commissioner Hallisey was absent).

- 87 • **Financial Allocation for Supplemental Funds for Previously Voted Projects. Four projects totaling \$6,286,000. Resolution FA-03-08** 2.5e.
- 01-DN-199 – SHOPP Project in Del Norte County. Current allocation is \$790,000. This request for \$241,000 to award the construction contract results in an increase of 31% over the voted amount.
 - 02-Tri-299 – SHOPP Project in Trinity County. Current allocation is \$1,344,000. This request for \$445,000 to award the construction contract results in an increase of 33% over the voted amount.
 - 07-Ven-1 – STIP Project in Ventura County. Current allocation is \$30,986,000. This request for \$1,750,000 to complete the construction contract results in an increase of 17% over the voted amount.
 - 08-SBd-15 – SHOPP Project in San Bernardino County. Current allocation is \$12,600,000. This request for \$3,850,000 to award the construction contract results in an increase of 31% over the voted amount.

Jim Nicholas, Caltrans, reviewed a chart (handout distributed at meeting) showing the cumulative allocations versus supplemental funds since January 1996 through May 2004. Ross Chittenden stated the reasons for the supplemental allocation requests are because of cost overruns from the bid proposals coming in higher than estimated due to a significant increase in material costs.

Deputy Director Stephen Maller reviewed the reason for the STIP supplemental allocation for Project #3. During the construction of the project, additional G-12 funds were allocated, and a request for \$1,750,0000 is needed to complete the required drainage work.

There was a lengthy discussion and Commissioner Ghielmetti expressed his concern over the accuracy of the Department's estimates.

Commissioner Torres moved to approve Project #1. Commissioner Lawrence seconded the motion, which carried (5-1) (Commissioner Lindsey voted no and Commissioner Hallisey was absent).

Commissioner Ghielmetti moved to approve all four of the supplemental requests. Commissioner Lawrence seconded the motion, which carried (5-1) (Commissioner Lindsey voted no and Commissioner Hallisey was absent).

- **Regarding supplemental votes, in consultation with Commission staff review the Department's estimating practices and the percentage of bids over the estimate, and report back to the Commission at the August meeting. (August Agenda Item)**
ACTION: Ross Chittenden

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- 88 • **Six-Month Estimate of Loan Capacity Under AB 1012 Approval of Funding Level. Resolution G-04-06** **4.8**

Bimla Rhinehart, Caltrans, reported that the projected ending cash balance for FY 2004-05 is \$380 million and recommended that the Commission suspend this loan program for the six month period from July 2004 through December 2004, when the next report is due to the Commission

Commissioner Ghielmetti moved to approve the six-month suspension, as recommended by the Department. Commissioner Lawrence seconded the motion, which carried (6-0) (Commissioner Hallisey was absent).

- 89 • **Budget Revision to transfer \$125,000,000 in Capital Outlay Budget Authority between Budget Act Items in FY 2002-03. Resolution FM-03-07** **2.5g.**

Bimla Rhinehart, Caltrans, recommended the Commission approve the technical adjustment to transfer \$125 million between two Capital outlay appropriation items. This Resolution proposes a net zero realignment of the Department's FY 2002-03 budget authority between Capital Outlay appropriation items in order to fully fund the ongoing projects appropriated from lapsed years. The transfer of funds is subject to Commission and Department of Finance approval of a Budget Revision.

Commissioner Lindsey moved to approve the transfer. Commissioner Tavaglione seconded the motion, which carried (6-0) (Commissioner Hallisey was absent).

- 90 • **Financial Adjustment to transfer \$80,000,000 in Federal Toll Bridge Seismic Retrofit Account to Capital Outlay in FY 2002-03. Resolution FM-03-08** **2.5h.**

Bimla Rhinehart, Caltrans, reviewed Items #90 and #92 together, recommending that the Commission approve the swap of \$80 million of Toll Bridge Seismic Retrofit Account funds from the San Francisco-Oakland Bay Bridge to the Richmond-San Rafael Bridge and \$80 million of Federal Highway Bridge Replacement and Rehabilitation funds from the Richmond San Rafael Bridge to the San Francisco-Oakland Bay Bridge resulting in a net-zero transfer.

Commissioner Tavaglione moved to approve the transfer, as recommended by the Department. Commissioner Lawrence seconded the motion, which carried (6-0) (Commissioner Hallisey was absent).

- 91 • **Budget Revision to transfer \$13,500,000 in FY 2003-04 STIP Right of Way Budget Authority to SHOPP Right of Way to fund FY 2003-04 Allocation Plan. Resolution FM-03-09** **2.5i.**

Bimla Rhinehart, Caltrans, recommended that the Commission approve the transfer request of \$13.5 million from the STIP to the SHOPP resulting in a zero impact to the total lump sum allocation previously approved by the Commission.

Commissioner Lindsey moved to approve the transfer, as recommended by the Department. Commissioner Tavaglione seconded the motion, which carried (6-0) (Commissioner Hallisey was absent).

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- 92 • **Financial Adjustment to transfer \$80,000,000 in Federal Highway Bridge Replacement and Rehabilitation Account to Capital Outlay in FY 2002-03. Resolution FM-03-12** 2.5l.

This Item was presented and approved under Item #90.

Time Extension Requests per CTC Resolution G-03-19, STIP Guidelines, Section 65 – Timely Use of Funds / Proposition 116 Waiver Requests / Miscellaneous Requests (#93-104)

- 93 • **Request to Extend the Period of Contract Award for Three local STIP projects totaling \$5,726,000. Waiver-03-55** 2.8b.(1)

Deputy Director Stephen Maller reviewed the three local agency requests (Items #93, #94 and #95) to extend contract award timely use of funds deadline by 3 to 12 months on projects worth \$120.7 million. Mr. Maller recommended that the Commission grant the requested contract award extensions.

Commissioner Lawrence moved to approve the extension requests. Commissioner Tavaglione seconded the motion, which carried (6-0) (Commission Hallisey was absent).

- 94 • **Request to Extend the Period of Contract Award for Three STIP projects totaling \$98,793,000. Waiver-03-56** 2.8b.(2)

This Item was presented and approved under Item #93.

- 95 • **Request to Extend the Period of Contract Award for Two SHOPP projects totaling \$16,137,000. Waiver-03-66** 2.8b.(3)

This Item was presented and approved under Item #93.

- 96 • **Request to Extend the Period of Project Completion for Ten Rural Transit System Grant Program Projects totaling \$3,427,000. Waiver-03-57** 2.8c.(1)

Deputy Director Stephen Maller reviewed and recommended that the Commission approve the ten requested project completion deadline extensions for rural transit projects.

Commissioner Lindsey moved to approve the extension requests. Commissioner Torres seconded the motion, which carried (6-0) (Commissioner Hallisey was absent).

- 97 • **Request to Extend the Period of Project Completion for One Rural Transit System Grant Program Project in Riverside County for \$478,000. ~~Waiver-03-58~~** 2.8c.(2)

Deputy Director Stephen Maller reviewed the City of Beaumont’s request to extend the project completion deadlines for their rural transit project. Since the city is unlikely to acquire the property desired for this project in the next 20 months, Mr. Maller recommended that the Commission deny their request.

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Commissioner Lawrence moved to deny the extension request. Commissioner Lindsey seconded the motion, which carried (6-0) (Commissioner Hallisey was absent).

- 98 • **Request to Extend the Period of Project Completion for One local Transit Capital Improvement (TCI) Program Project in Monterey County for \$420,000. Waiver-03-59** **2.8c.(3)**

Deputy Director Stephen Maller reviewed agenda Items #98, #99 and #100 and recommended the Commission approve the requests to extend the completion deadlines for three local projects.

Commissioner Lawrence moved to approve the extension requests. Commissioner Lindsey seconded the motion, which carried (6-0) (Commissioner Hallisey was absent).

- 99 • **Request to Extend the Period of Project Completion for One local Transit Capital Improvement (TCI) Program Project in Los Angeles County for \$243,000. Waiver-03-60** **2.8c.(4)**

This Item was presented and approved under Item #98.

- 100 • **Request to Extend the Period of Project Completion for One local Project in the City of Los Angeles for \$1,046,000. Waiver-03-61** **2.8c.(5)**

This Item was presented and approved under Item #98.

- 101 • **Request to Extend the Period of Project Development Expenditure for 13 local STIP projects totaling \$22,991,000. Waiver-03-62** **2.8d.(1)**

Deputy Director Stephen Maller reviewed and recommended that the Commission approve the 13 local agency requests to extend project development expenditure deadlines with the following changes: Project #4, City of Placerville – 16 months; Project #6, City of Sacramento – 14 months; Project #7, County of Sacramento – 16 months; Project #11, County of Los Angeles – 18 months.

Commissioner Lawrence moved to approve the extensions and changes, as recommended by staff. Commissioner Lindsey seconded the motion, which carried (6-0) (Commissioner Hallisey was absent).

- 102 • **Request to Extend the Period of Project Development Expenditure for Two local STIP projects in Los Angeles County totaling \$1,282,000. Waiver-03-63** **2.8d.(2)**

Deputy Director Stephen Maller reviewed Items #102 and #103, and indicated that two local and two intercity rail projects are seeking project development expenditure deadline extensions. Mr. Maller said Caltrans supports the extension requests and recommended Commission approval.

Commissioner Lawrence moved to approve the three project extensions. Commissioner Lindsey seconded the motion, which carried (6-0) (Commissioner Hallisey was absent).

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103	<ul style="list-style-type: none">Request to Extend the Period of Project Development Expenditure for Two Intercity Rail STIP projects on the Capital Corridor totaling \$3,325,000. Waiver-03-64	2.8d.(3)

This Item was presented and approved under Item #102.

104	<ul style="list-style-type: none">Request to Extend the Period of Project Completion for One Proposition 116 Program Project in Sacramento County for \$10,000,000. Waiver-03-65	2.8e.
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This Item was presented and approved under Item #102.

OTHER MATTERS / PUBLIC COMMENT

There were no other matters or public comments.

ADJOURN

There being no further business, the meeting adjourned at 3:20 p.m.

Diane C. Eidam, Executive Director

STATUS OF ACTION ITEMS
From
June 17, 2004 Commission Meeting

- 3 (1.(3)) Ross Chittenden – At the August Commission meeting provide an update on the Benicia Bridge. (*August Agenda Item*)
- **This will be discussed under August Tab 36, Agenda Item 4.5.**
- 6 (1.(6)) Ross Chittenden – At the August Commission meeting provide an update on the Bay Bridge. (*August Agenda Item*)
- **This will be discussed under August Tab 37, Agenda Item 4.6.**
- 7 (3.1) Bob Garcia – At the October Commission meeting provide an update on the local OA cash mining effort. (*October Agenda Item*)
- **This will be done and reported on at the October 2004 Commission meeting.**
- 10 (2.5j) Terry Abbott – Provide final closeout report on the FY 2003-04 Local Assistance Lump Sum Allocation; include comparisons to prior years allocations by category. (*October Agenda Item*)
- **This will be done and reported on at the October 2004 Commission meeting.**
- 12 (2.5k) Brice Paris – Provide final closeout report on the FY 2003-04 Right-of-Way Allocation; include comparisons to prior years allocations by category. (*August Agenda Item*)
- **This will be discussed under August Tab 39, Agenda Item 3.8.**
- 61 (5.2a) Doug Failing – Provide to Commissioners and staff in writing a list of the I-5 Corridor projects in priority order.
- **This will be done.**
- 69 (4.1) Robert Chung – Communicate to the author of AB 1874 that the intent language should clarify that the Department can require compensation for use of controlled-access rights-of-way on expressways and highways. Further express the Commission's concerns of limiting use of controlled-access rights-of-way to specific franchises and the need to make the rights-of-way available to all eligible applicants.
- **This will be done.**
- 71 (2.1c(2)) Stephen Maller/Ross Chittenden – At the August Commission meeting provide an update on the TransBay Terminal and review what the Commission's role is in the project. (*August Agenda Item*)
- **This will be discussed under August Tab 38, Agenda Item 4.7.**

75 (2.2a) Robert Chung –Meet jointly with Fish & Game, Caltrans, BT&H, Commissioner Kellogg of Fish & Game, and Commissioner Ghielmetti to explore how to uniformly apply the requirements of the California Environmental Quality Act (by Fish & Game) to Caltrans' rehabilitation and safety projects.. *(September Agenda Item)*

- **This will be done and reported on at the September 2004 Commission meeting.**

87 (2.5e) Ross Chittenden – Regarding supplemental votes, in consultation with Commission staff review the Department's estimating practices and the percentage of bids over the estimate, and report back to the Commission at the August meeting. *(August Agenda Item)*

- **This will be discussed under August Tab 67, Agenda Item 2.5e.**