

MINUTES

CALIFORNIA TRANSPORTATION COMMISSION

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December 5, 2005
Sacramento, California

Monday, December 5, 2005

11:00 am

COMMISSION MEETING
Caltrans Headquarters Building
Director's Board Room 2116
1120 N Street
Sacramento, California 95814

Teleconference Location
Four Seasons Hotel Boston
1st Floor Lobby
200 Boylston Street
Boston, Massachusetts

PUBLIC SESSION, MEETING CALLED TO ORDER

The meeting of the California Transportation Commission was called to order at 11:00 a.m. on December 5, 2006 at the Caltrans Headquarters Building, Director's Board Room 2116, 1120 N Street, Sacramento, California.

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

Members Present: Joseph Tavaglione, Chair
Jeremiah Hallisey, Vice Chair – Joined by telephone conference from the Four Seasons Hotel, 1st Floor Lobby, 200 Boylston Street, Boston, Massachusetts
Bob Balgenorth
Marian Bergeson
James Ghielmetti
Allen Lawrence
R. Kirk Lindsey
Esteban Torres

CLOSED SESSION, PURSUANT TO GOVERNMENT CODE SECTION 11126(a) AND (b) TO CONSIDER APPOINTMENT OF AN EXECUTIVE DIRECTOR TO THE COMMISSION

Chair Tavaglione reviewed the statutory authority allowing a closed session for the purpose of considering an appointment to the position of Executive Director of the Commission. All members of the public were asked to leave the room and the Commission moved into Closed Session.

PUBLIC SESSION, MEETING RECONVENED

Chair Tavaglione reconvened the meeting in open session, and reported that the Commission had met in closed session with each of the final candidates. Commissioner Balgenorth moved to appoint John Barna as Executive Director. Commissioner Bergeson seconded the motion which passed 8-0.

The Commissioners thanked the candidates for their time and interest in applying. John Barna stated that he is looking forward to the challenge and the opportunity.

The meeting then adjourned at 12:40 pm.



JOHN F. BARNA, JR., Executive Director

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between the operating procedures and the regulations. Commissioner Bergeson asked what it would take to change the procedures. Executive Director Diane Eidam said that the Commission can take action on changing the date the election occurs. To change the regulations would require going through Office of Administrative Law process. Commissioner Balgenorth said that the election of officers has already been noticed for the December meeting.

Commissioner Lindsey called the Question. Chair Tavaglione called for the vote. Commissioner Bergeson said she was concerned regarding a need to change the procedures before a vote is taken. Executive Director Diane Eidam said that the regulations don't need to be changed; they would only need to be changed if the Commission wanted the office to end in December.

Commissioner Lindsey called the Question and restated the motion to elect the Chair and Vice Chair in February and have them start in March. Commissioner Balgenorth said that he believes that the motion is in violation of the notice. Commissioner Bergeson said that it wouldn't be if the motion was to defer action until February.

Commissioner Lindsey amended his motion to defer the election of officers to the February meeting. Chair Tavaglione asked for a second. Commissioner Balgenorth asked if the motion is to defer the motion. Commissioner Lindsey restated the motion to defer the election to February. Commissioner Bergeson seconded the motion. Motion passed 7-2.

Commission Reports:

Commissioner Lindsey reported on the Goods movement Committee meeting.

Commissioner Ghielmetti reported on the TACA meeting and said that the first meeting of the REAP would be January 11, 2006.

Commissioner Lawrence said he would like to nominate Mission Meridian Project for a Tranny Award. Commissioner Ghielmetti moved to have the Commission endorse the Mission Meridian Project for a Tranny Award. Commissioner Balgenorth would like to hear more about the project. Commissioner Lindsey said that they're not nominating it for an award but are saying please take a look that the project. Motion passed 9-0.

Commissioner Lindsey said that he attended the San Joaquin Valley Partnership Meeting the previous week.

Executive Director Diane Eidam thanked all who attended her going away dinner.

- 4. • Commissioners' Meetings for Compensation 1.4

Commissioner Lawrence moved to approve. Commissioner Bergeson seconded the motion, which carried 9-0.

BUSINESS, TRANSPORTATION & HOUSING AGENCY REPORT

- 5. • Report by Agency Secretary and/or Deputy Secretary 1.5

Secretary McPeak gave her congratulations to new Commissioner Mr. John Chalker and commented that it was the first time in this administration that there has been a full commission. Ms. McPeak thanked Diane for her work and partnership as Executive Director of the CA Transportation Commission. The Goods Movement hearings have been progressing and she will call on Commissioner Ghielmetti for the airport component of the Goods Movement. Last year the administration introduced legislation to accelerate project delivery and to facilitate public private partnerships. The Administration continues to support this legislation and is looking to support major projects that are components of the State system. She indicated that she wants the Highway 99 Business Plan presented to the Commission. Secretary McPeak reviewed the Proposition 42 funding. The Governor and Legislators including in the Budget Blueprint Grant program.

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In conclusion Secretary McPeak said that the Commission made a fine selection by choosing John Barna as the next Executive Director of the Commission.

Commissioner Bergeson asked about the status of the Indian Gaming funds. Secretary McPeak said that the gaming bond litigation is working its way and hoping for that legal resolution by the end of the fiscal year because it would mean \$800 million plus or minus. Commissioner Bergeson said that the original amount was \$1.3 billion and asked if it had been reduced. Ms. McPeak said that yes, it had been reduced to \$1 billion and thinks the proceeds will be between \$820 and \$850 million. The balance is still an obligation that should be repaid.

CALTRANS REPORT

- 6. • Report by Caltrans' Director and/or Deputy Director 1.6

Director Will Kempton echoed Secretary McPeak's comments and welcomed Commissioner Chalker, said congratulations to Diane Eidam and John Barna. Director Kempton announced the appointment of Mike Miles as the Deputy Director for Maintenance and Operations. It was said with grief that Gary Winters had passed away.

Director Kempton went on to say that there are now three established *Go California* panels. He said the Districts have delivered 225 contracts for \$272 million this year. Director Kempton sent compliments to Districts 6 and 10 on the Route 99 Business Plan. The Trip to Omaha, Nebraska is scheduled for the week of December 19, 2005 to work with the railroads. Director Kempton thanked Executive Director Diane Eidam and Deputy Director Stephen Maller for their efforts on the effectiveness of the Toll Bridge Oversight Committee.

- 7. • Federal Reauthorization Bill – SAFE TEA-LU 4.1b.

Director Kempton presented the latest efforts on implementing the Safe-TEA-LU federal legislation in California.

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

Cindy McKim, Caltrans CFO, reported on the cash balance and that it's consistent with the forecast. The SHA cash balance is up \$46 million from the \$850 million forecast for an actual balance of \$896 million. Ms. McKim noted that the cost for project awards is going up. Director Kempton said that to date they are running 7% over in the SHOPP, and 31% over in the STIP. They are constantly challenged by the cash balance in the SHA and agreed they need to get the balance down.

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

Ross Chittenden, Caltrans, focused on the July action of the Commission when it incorporated a reduced time frame for project award into the adopted allocation criteria. Mr. Chittenden reported that of the 64 state highway projects allocated at the July 2005 meeting 43 projects have been awarded within 4-months of allocation and the remaining 21 projects have entered into the new reporting requirement. Of the remaining 21 projects 14 projects are awaiting supplemental funds or final contract execution. Mr. Chittenden said that at the Commission's meeting in February the Department is anticipating requesting award time extensions for 7 projects.

- 10. • Status of Construction Contract Award for Local Assistance STIP Projects, per FY 2005-06 Allocation Plan Criteria 3.6

Terry Abbott, Caltrans, provided a status report on local assistance STIP projects voted but not awarded. At the July and August meetings the Commission allocated \$18.784 million for 29 locally-administered STIP projects. Ten projects were expected to need time extensions. Commissioner Ghielmetti said that three of the projects

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- 16. • Sixth Cycle AB 1012 Unobligated RSTP, CMAQ, and Regional TEA “Use It or Lose It” Close-out Report 3.16

Terry Abbott, Caltrans, discussed this item saying that the Department released its 6th cycle AB 1012 “Use it or Lose It” notices on November 1, 2004. At that time, the RSTP, CMAQ and Regional TEA funds potentially subject to Commission redirection on November 15, 2005 totaled \$119 million. Based on the balances at the end of September 30, 2005 the total funds subject for reprogramming are approximately \$1 million. This is a reduction of \$118 million from the initial sixth cycle notification of \$119 million. Approximately 58% of the amount subject to reprogramming is in the CMAQ program and 42% is in the Regional TEA program.

- 17. • Local Assistance Quarterly Lump Sum Allocation Status Report for FY 2005-06 3.17

Terry Abbott, Caltrans, discussed the Quarterly Lump Sum Allocation status, saying that in May 2005, the Department requested a lump sum allocation of \$996 million. The Commission however reduced the initial allocation request to \$498 million pending the final close-out report for fiscal year 2004-05. Mr. Abbott suggested that the Department’s request to allocate the remaining \$498 million be presented at the Commission’s February 2006 meeting. As of October 31, 2005, there were approximately \$477 million in sub-allocations. Of the \$477 million allocated, \$132 million (28%) has been expended, which is higher when compared to the same period last year (7%). Commissioner Lindsey said that it appears that \$132 million that’s been expended is in federal funds and not State funds. Mr. Abbot responded that expenditures have been transfers, including \$127 million in FTA transfers. Commissioner Lindsey asked why the Commission should allocate State funds if they’re not needed now, that it looks like the Department has the tendency to deliver at the end of the federal fiscal year and not the State fiscal year. Commissioner Lindsey suggested that the Commission not allocate until the Department figures it out. Mr. Abbott said that it might be more appropriate to allocate based on the federal fiscal year.

- 18. • Bi-Annual Report on Traffic Congestion Relief (TCR) Program Projects 3.18

Ross Chittenden, Caltrans, provided an overview of the TCR Program Bi-Annual Report. If the tribal gaming and Proposition 42 funding comes through in 2006-07 there is the potential to receive \$968 million for the program. Mr. Chittenden recommended that the Department convene an Ad-Hoc committee after January 1, 2006 to review future TCRP allocation needs presented in the report and establish allocation criteria based on regional priorities and plans.

- 19. • Informational Report on Emergency: G-11 Allocations. 16 Projects totaling \$7,451,580. 2.5f.(1)

Ross Chittenden, Caltrans, reviewed the allocation of sixteen emergency projects and the cause of the emergencies. Commissioner Lindsey asked about project #9 and the environmental mitigation being a whole year later. Mr. Chittenden responded that the work actually begun a year ago and that it would normally have been done by Caltrans staff but they were busy and hired out to sub-contractors. Commissioner Lindsey then asked about project #15 and why if the Department knew it was built over a landfill that was still settling why it didn’t program the project in the SHOPP. District 11 Director Pedro Orso-Delgado responded that the Department did know it was a landfill and that some future work would need to be done. Commissioner Chalker said that he’s familiar with the area and asked if the project was involving interchanges and overpasses. Mr. Delgado said it only affected the ramps. Commissioner Balgenorth said that he still isn’t comfortable that project #15 meets the “emergency” designation and cautioned the Department to use the Commission’s resolution for its intended purpose. Mr. Delgado said that at this point in time the project is a safety issue.

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- 20. • Informational Report on Supplemental Funds for Previously Voted Projects: G-05-04 Allocations. Ten Projects totaling \$22,762,000. 2.5f.(5)

Ross Chittenden, Caltrans, reviewed the 10 projects that were allocated supplemental funds under the delegation to the CTC Executive Director. There were 3 STIP and 7 SHOPP projects this month. Mr. Chittenden reported the cost overruns were due to increases in material costs.

REGIONAL AGENCIES AND RURAL COUNTIES REPORT

- 21. • Report by Regional Agencies Moderator 1.7

Ross McKeown, made the presentation for the RTPAs. Mr. McKeown said that the RTPA's appreciated the excellent work of Diane Eidam. They welcome John Barna as the next Executive Director. Mr. McKeown also noted that the RTPA's are in support of Item #67.

- 22. • Report by Rural Counties Task Force Chair 1.8

Kathy Mathews, Rural County Task Force Chair, also thanked Diane Eidam for her work with the rurals. Thanked the Commission for the dinner and wished her good luck. Ms. Mathews then highlighted the Tri-County Partnership project that's on the agenda.

- 23. • Bi-Annual Report on Tri-County Partnership (Alpine, Amador, and Calaveras Counties) 3.8

George Dondero, Executive Director for Calaveras County, reviewed the partnership, project locations, and the benefits of the tri-county partnership to the State and the tri-counties. Some of the projects discussed included the Sutter Creek Bypass, SR 88 Passing Lanes and Angels Camp Bypass.

- 24. • I-710 Gateways Major Investment Study 3.9

This item was deferred to the Commission's February 2006 meeting.

- 25. • Report on Committee Activity Toll Bridge Program Oversight Committee 3.10

Mr. Maller reviewed some of the more significant items the Oversight Committee had on its November 21, 2005 and December 12, 2005 meeting agendas. Commissioner Balgenorth had questions regarding the use of large foreign floating cranes on the SFOBB East Span replacement project. Mr. Maller stated that the Jones Act precludes the use of foreign floating cranes in American territorial waters, Therefore, no foreign floating cranes will be used on the SFOBB project.

- 26. • Toll Bridge Quarterly Report 3.11

Executive Director Diane Eidam reviewed the report and status of projects, saying the bids are due for the self anchored suspension portion on February 1, 2006.

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Commissioner Ghielmetti moved to approve the resolution with the condition that there is a rent back provided to Mr. Sparks for a driveway on Marks Ave until the driveway is needed for actual freeway construction. Commissioner Lawrence seconded the motion. Roll call vote was taken as follows: Commissioner Balgenorth – aye; Commissioner Bergeson – aye; Commissioner Chalker – aye; Commissioner Ghielmetti – aye; Commissioner Hallisey – aye; Commissioner Lawrence – aye; Commissioner Lindsey – aye; Commissioner Torres – aye; Commissioner Torres – aye; Chair Tavaglione – aye. The motion passed 9-0.

INFORMATION CALENDAR

IC

Deputy Director Stephen Maller presented the Information Calendar agenda Items #31 through #40.

- 31. IC • STIP Amendment 04S-082 2.1b.(1)
 The Orange County Transportation Authority (OCTA) is requesting this amendment. OCTA proposes to change the implementing agency for the R/W and Construction components on the Oso Parkway Storage Lane and Interchange Improvement project (PPNO 2671A) from the Department to OCTA.

This item was presented on the Information Calendar and noticed as required.

- 32. IC • STIP Amendment 04S-083 2.1b.(2)
 The Orange County Transportation Authority (OCTA) is requesting this amendment. OCTA proposes to change the implementing agency for the R/W and Construction components on the Culver Drive Southbound Off-Ramp Widening project (PPNO 2796) on Route 5 from the Department to OCTA and also proposes to revise the RIP as follows: a net decrease of \$198,000 in FY 2004-05; a net increase of \$181,000 in FY 2005-06; and a net increase of \$246,000 in FY 2006-07, for a total increase of \$229,000 in the RIP. This will increase the total project cost from \$1,959,000 to \$2,188,000.

This item was presented on the Information Calendar and noticed as required.

- 33. IC • Informational Report on SHOPP Safety: G-03-10 2.5f.(3)
 Allocations. One Project for \$5,200,000.

This item was presented on the Information Calendar.

- 34. IC • Informational Report on Minor Projects: G-05-05 2.5f.(4)
 Allocations. Five Projects totaling \$2,198,000.

This item was presented on the Information Calendar.

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

This item was presented on the Information Calendar.

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

This item was presented on the Information Calendar.

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

This item was presented on the Information Calendar.

- 38. IC • Aeronautics Account Pending Allocations -- 15 Projects totaling \$2,797,200 4.2b.

This item was presented on the Information Calendar.

- 39. IC • TCRP Pending Allocations -- Three Projects totaling \$45,500,000 4.2c.

This item was presented on the Information Calendar.

- 40. IC • Six-month Estimate of Loan Capacity under AB 1012 Approval of Funding Level Resolution G-05-__ 4.4

This item was presented on the Information Calendar.

CONSENT CALENDAR

CC

Deputy Director Robert Chung recommended approving Consent Calendar Items #41 through #64 with the following notations or modifications: Items #49, 50, 53, 54, 56, and 57 have recommended changes and corrections as noted on the pink – “Changes to CTC Agenda”.

Commissioner Bergeson moved to approve the Consent Calendar, as modified by staff. Commissioner Ghielmetti seconded the motion, which carried 7-0. (Chair Tavaglione and Commissioner Torres were absent)

- 41. CC • The Capitol Corridor Joint Powers Authority requests a TCRP Application Amendment to transfer \$1,300,000 in TCRP funding between sub-projects Project #9.2 – Capitol Corridor; Emeryville Station track and platform improvement, and Project #9.4 – Capitol Corridor; Oakland to San Jose intercity track. This amendment also updates the project schedule and funding plan for each sub-project. *(Related Item under 2.6e.(2).)* Resolution TAA-05-38, Amending Resolutions TAA-05-20 and TAA-05-21 2.1c.(1)

This item was approved on the Consent Calendar.

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- 42. **CC** • The Department requests a TCRP Application Amendment to program \$1,790,000 in new TCRP funding, designate the Los Angeles County Metropolitan Transportation Authority (LACMTA) as the Applicant Agency, and update the project funding plan for Project #51 – Route 101/405; add auxiliary lane and widen ramp through freeway interchange in Sherman Oaks. *(Related Item under 2.1c.(6).)*
Resolution TAA-05-39, Amending Resolution TAA-04-13

This item was approved on the Consent Calendar.

- 43. **CC** • The Department requests a TCRP Application Amendment to designate the LACMTA as the Applicant Agency, and update the project schedule and funding plan for Project #52 – Route 405; add HOV and auxiliary lanes for 1mile from Waterford Ave. to Route 10. *Related Item under 2.1c.(6).)*
Resolution TAA-05-40, Amending Resolution TA-01-09

This item was approved on the Consent Calendar.

- 44. **CC** • The City of Los Angeles Department of Transportation requests a TCRP Application Amendment to program \$500,000 in new TCRP funding, and update the project schedule and funding plan for Project #53 – Automated Signal Corridors (ATSAC). *(Related Items under 2.1c.(6) and 2.6e.(2).)*
Resolution TAA-05-41, Amending Resolution TAA-03-02

This item was approved on the Consent Calendar.

- 45. **CC** • The San Bernardino Associated Governments requests TCRP Application Amendment to update the project schedule and funding plan for Project #59 – Route 10; reconstruct and widen I-10/Live Oak Canyon Road Interchange. *(Related Items under 2.1c.(6) and 2.6e.(2).)*
Resolution TAA-05-42, Amending Resolution TA-00-03

This item was approved on the Consent Calendar.

- 46. **CC** • Project Approval Amendment for One Proposition 116 Rail Program Project for the Department of Transportation for \$540,955 (PUC Section 99622[c]) to provide additional construction funding on the Oakland to San Jose Track Improvements, Capitol Corridor Route.
Resolution PA-05-___

This item was approved on the Consent Calendar.

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- 53. **CC** • Financial Allocation for Six SHOPP Projects totaling \$24,069,000. Resolution FP-05-44 2.5b.(1)

This item was approved on the Consent Calendar, as modified by staff to withdraw Project #4.

- 54. **CC** • Financial Allocation for Nine Projects totaling \$9,498,000 amended into the SHOPP by Departmental action. Resolution FP-05-45 2.5b.(2)

This item was approved on the Consent Calendar, as modified by staff to adjust the allocation amount for Project #9.

- 55. **CC** • Financial Allocation for Three Locally-Administered STIP Projects off the State Highway System totaling \$422,000, plus \$2,959,000 from other sources. Resolution FP-05-46 2.5c.(3)

This item was approved on the Consent Calendar.

- 56. **CC** • Financial Allocation for Five State-Administered STIP Transportation Enhancement Projects totaling \$1,821,000, plus \$315,000 from other sources. Resolution FP-05-47 2.5c.(4)

This item was approved on the Consent Calendar, as modified by staff to adjust the allocation amount for Project # 4.

- 57. **CC** • Financial Allocation for Ten Locally-Administered STIP Transportation Enhancement Projects totaling \$1,490,000, plus \$859,200 from other sources. Resolution FP-05-48 2.5c.(5)

This item was approved on the Consent Calendar, as modified by staff to withdraw Project #6.

- 58. **CC** • Financial Allocation for Seven Locally-Administered STIP Planning, Programming and Monitoring Projects totaling \$4,361,000. Resolution FP-05-49 2.5c.(6)

This item was approved on the Consent Calendar.

- 59. **CC** • Financial Allocation for Two STIP Rail/Transit Projects totaling \$285,000. Resolution MFP-05-09 2.6a.

This item was approved on the Consent Calendar.

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- 60. CC • Financial Allocation for One Local Proposition 116 Rail Program Project for \$626,000 for the Santa Fe Rail Station Parking Lot. Resolution BFP-05-05 2.6b.

This item was approved on the Consent Calendar.

- 61. CC • Financial Re-allocation of \$1,431,000 in lapsing TCRP funds for One TCRP project. Resolution TFP-05-18 2.6e.(1)

This item was approved on the Consent Calendar.

- 62. CC • Financial Allocation Amendments for Four TCRP Projects, with no net change in TCRP funding. Resolution TFP-05-19 2.6e.(2)

This item was approved on the Consent Calendar.

- 63. CC • Technical Change to Resolution FP-05-38, originally approved November 3, 2005, in the amount of \$531,000 for four locally-administered STIP projects. A technical correction is needed for Project #4, in the City of Modesto, to correct the allocation component and expenditure authorization (EA). 2.9

This item was approved on the Consent Calendar.

- 64. CC • STIP/SHOPP Pending Allocation List – Six SHOPP Projects totaling \$14,222,000; 86 STIP Projects totaling \$38,172,000. 4.2a.

This item was approved on the Consent Calendar.

- 65. • Technical Advisory Committee on Aeronautics Report on Aviation Issues 3.15

Dan Burkhart, TACA Chair, thanked Diane Eidam, and announced that the new TACA Chair will be John Pfiefer. Mr. Burkhart reviewed the Committee’s reports on accomplishments and upcoming issues, and asked that it be accepted as part of the Commission’s annual report to the California Legislature. He thanked Deputy Director Robert Chung for his work with TACA, and asked that the Commission continue support of various legislation next year. Commissioner Ghielmetti thanked Mr. Burkhart and Mr. Pfiefer for all their work and also commented on the recent retirement of Austin Wiswell, Caltrans Division Chief for Aeronautics.

- 66. • Adoption of the 2005 Annual Report 4.10

Executive Director Diane Eidam said that all the Commissioners have received a Draft of the Annual Report. She’s personally spoke to each Commissioner except for Commissioner Torres. Most of the comments received were edits and a few on the PTA spillover issue being technical and hard to understand in the report. Executive

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Director Diane Eidam asked that the Commission adopt the Report, subject to changes requested at this meeting and direct the Chair to fine tune the end results. The expectation is to start distribution of the Report on January 2, 2006.

Commissioner Lawrence moved to accept the report as recommended by Staff. Commissioner Ghielmetti seconded the motion, which carried 9-0.

- 67. • Statement of Intent for Reprogramming and Allocation 4.9
 Priorities for Local Road Rehabilitation

Chief Deputy Director David Brewer presented the item for discussion explaining that it is a statement of what the Commission staff would intend to recommend regarding the treatment of local road rehab in future allocation plans and reprogramming for the 2006 STIP. Any formal action would occur only when the Commission is called upon to actually approve an allocation plan or the 2006 STIP.

- 1) For any further STIP allocation capacity for 2005-06, staff would recommend that the Commission modify the current allocation plan to treat local road rehab projects the same as improvement projects in the 10 counties that have no improvement projects.
- 2) For 2006-07, first fund the AB 3090 cash reimbursements and 2006-07 PPM. After that, fund all remaining 2005-06 projects, including rehab, before allocating to projects programmed in 2006-07.
- 3) For the 2006 STIP, in reprogramming for 2006-07, staff would give priority to projects that are within targets and were programmed for 2006-07 in the 2004 STIP. If it's necessary to reduce programming, staff would expect to honor targets and maintain the current ratio of about 80% State highways and 20% local grants statewide. In counties without State highway projects, staff's recommendation would not distinguish between local improvements and local rehab. Commissioner Lindsey said that he thinks we've hit a homerun with this plan.

Kathy Mathews said that the Rural Counties are in full support. Mr. Brewer said that it would come for action if there is allocation capacity.

Peter Rei, Tuolumne County, spoke in support and thanked the Commission for this action.

Phil Dow concurred and said that it's what the rural agencies have been asking for.

- 68. • State Water Resources Control Board Presentation 4.6
 Regarding Regulations and Exception Process for Zero
 Discharge of Storm Water in Designated Areas of Special
 Biological Significance Along the California Coast

This Item was deferred until the Commission's February 2006 meeting.

- 69. • Caltrans Presentation Regarding Regulation by the 4.7
 State Water Quality Control Board for Zero Discharge of
 Storm Water in Designated Areas of Special Biological
 Significance Along the California Coast

This Item was deferred until the Commission's February 2006 meeting.

- 70. • Update on Project Estimating Practice Improvement 4.5
 Efforts

This Item was deferred until the Commission's February 2006 meeting.

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- 71. • Report on Design-Sequencing Pilot Program 4.8

This Item was deferred until the Commission's February 2006 meeting.

- 72. • 2005 Policy Element of the California Aviation System Plan 4.3

Mary Frederick, Caltrans, reviewed the policy element and discussed the changes that Caltrans has incorporated. The Commission will be asked to adopt the proposed CASP policy element in early 2006. The proposed policy element is comprised of a comprehensive set of state policies and funding priorities for general aviation and commercial airports in California. Commissioner Lindsey said that in his reading of the CASP Policy Element that there appears to be some inconsistency in the land use policy and asked that it be reconciled.

- 73. • Financial Allocation for Three State-Administered STIP Projects on the State Highway System totaling \$4,149,000. Resolution FP-05-__ 2.5c.(1)

Deputy Director Stephen Maller reviewed Items #73 - #76, saying they are all requests to allocate funds to 12 STIP projects worth \$6.5 million and 9 SHOPP projects worth \$25.5 million. Nineteen of the 21 projects are not eligible for an allocation based on the Commission's adopted STIP/SHOPP Allocation plan. Mr. Maller recommended that the Commission allocate \$1.5 million to project #3 under agenda item #73 and \$5.2 million to project #7 under agenda item #74 and place the other 19 projects on the pending allocation list.

Commissioner Lindsey moved to approve the staff recommendation. Commissioner Ghielmetti seconded the motion, which carried 9-0.

- 74. • Financial Allocation for Nine SHOPP Projects totaling \$25,529,000. Resolution FP-05-__ 2.5b.(1.1)

See Item #73

- 75. • Financial Allocation for Eight Locally-Administered STIP Projects off the State Highway System totaling \$2,199,000. Resolution FP-05-__ 2.5c.(3.1)

See Item #73

- 76. • Financial Allocation for One Locally-Administered STIP Regional Rideshare Project for \$167,000, plus \$50,000 from other sources. Resolution FP-05-__ 2.5c.(7)

See Item #73

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77. • Financial Allocation for Projects that exceed 20 Percent of the Programmed Amount. One project for \$319,000. Resolution FP-05-__ 2.5d.
- 03N-But-99 – STIP project in Butte County. Current programmed value of \$263,000 and current estimate of \$319,000, for an increase of 21% over the programmed amount.

Ross Chittenden, Caltrans, reviewed the Item and recommended the project be placed on the Pending Allocation List.

Commissioner Lindsey moved to approve the Department’s recommendation. Commissioner Bergeson seconded the motion, which carried 9-0.

78. • Financial Allocation for Supplemental Funds for Previously Voted Projects. Three projects totaling \$3,060,000. Resolution FA-05-06 2.5e.(1)
- 02N-Plu-89 - SHOPP project in Plumas County. Current allotment is \$4,215,000. This request for \$1,250,000 to complete the contract results in an increase of 34% over the original allocation.
- 07S-LA-23 - SHOPP project in Los Angeles County. Current allocation is \$2,283,000. This request for \$510,000 to re-advertise the contract results in an increase of 22% over the voted amount.
- 08S-SBd-330 – SHOPP G-11 project in San Bernardino County. Current allocation is \$2,200,000. This request for \$1,300,000 to complete construction results in an increase of 59% over the voted amount.

Ross Chittenden, Caltrans, reviewed the supplemental projects and reasons for the increases. Chair Tavaglione said he’s familiar with the San Bernardino project and flood problems and thinks it’s the right decision. Commissioner Ghielmetti voiced concerns regarding the inadequate soil testing. Director Kempton said that’s the reason they’re taking it out of the District’s minor program.

Commissioner Torres moved to approve the Supplemental Funds Allocation. Commissioner Lindsey seconded the motion, which carried 9-0.

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ADDED BY ADDENDUM

78A.	<p><u>Financial Allocations for Supplemental Funds</u> • <u>Financial Allocation for Supplemental Funds for Previously Voted Projects. Five projects totaling \$12,027,000.</u> <u>Resolution FA-05-07</u></p> <p><u>-- 02-Sis-5 – SHOPP project in Siskiyou County. Current allotment is \$10,815,000. This request for \$3,995,000 to award the construction contract results in an increase of 37% over the voted amount.</u></p> <p><u>-- 04-Nap-29 – SHOPP project in Napa County. Current allotment is \$4,686,000. This request for \$703,000 to award the construction contract results in an increase of 15% over the voted amount.</u></p> <p><u>-- 06-Ker-178 – SHOPP project in Kern County. Current allotment is \$6,895,000. This request for \$1,485,000 to award the construction contract results in an increase of 21% over the voted amount.</u></p> <p><u>-- 06-Tul-99 – SHOPP project in Tulare County. Current allotment is \$2,215,000. This request for \$1,106,000 to award the construction contract results in an increase of 50% over the voted amount.</u></p> <p><u>-- 08-SBd-15 – SHOPP project in San Bernardino County. Current allotment is \$6,080,000. This request for \$4,600,000 to award the construction contract results in an increase of 76% over the voted amount.</u></p>	2.5e.(2)
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Ross Chittenden, Caltrans, reviewed the projects and reasons for the changes. After extensive discussion, Commissioner Lindsey moved to approve the supplemental allocations only for projects 1, 2, and 3 (in Siskiyou, Napa and Kern Counties). Commissioner Ghielmetti seconded the motion, which carried 9-0.

79.	<p>• Request to Extend the Period of Contract Award for Two local STIP projects totaling \$1,704,000. Waiver-05-27</p>	2.8b.(1)
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Deputy Director Stephen Maller reviewed the Item and stated that the City of San Juan Capistrano awarded its project and no longer needed an extension. CSUS is requesting a 14-month post-fact extension for a \$60,000 bicycle project allocated at the February 2004 Commission meeting and a 3-month extension for a \$565,000 bicycle project allocated at the January 2005 Commission meeting, so both projects can be awarded together in early 2006.

Tab # / Time	Item Description	Ref. #
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Ron Richardson, CSUS, explained the University’s need for the time extension. Commissioner Lindsey asked how much time was needed to which Stephen Maller responded 3 months from February 2006 for both projects.

Commissioner Bergeson moved to approve the extension giving CSUS 3 months from February 2006 for both projects. Commissioner Hallisey seconded the motion, which carried 9-0.

- 80. • Request to Extend the Period of Contract Award for Six local STIP projects totaling \$2,885,000 per FY 2005-06 Allocation Plan Criteria. Waiver-05-30 2.8b.(2)

Deputy Director Stephen Maller reviewed the Item explaining that five local agencies are requesting six contract award deadline extensions for projects allocated by the Commission at its July 2005 meeting. At the July 2005 meeting, the Commission also adopted an allocation plan and criteria that required projects to be truly ready to go to construction in order to receive an allocation of funds. Mr. Maller recommends that the Commission grant only a 3-month time extension to the projects.

Mike Uyeno, City of Los Angeles, requested a longer extension than 3-months. Commissioner Lindsey said that he came in the door with the intent of an extension when an extension is only to cover worst case scenarios. Mr. Uyeno said that he’s pretty sure they can award in 3 months. Commissioner Ghielmetti said they’re not complicated projects and agrees with the staff recommendation for 3 months.

Jennifer Bergener, OCTA, said that 3 months is sufficient.

James Serrano, City of Salinas, said they can live with the 3 month extension and supports the CTC Staff recommendation.

Commissioner Lindsey moved to approve the CTC Staff recommendation for 3-month time extensions for all of the projects. Commissioner Balgenorth seconded the motion, which carried 9-0.

- 81. • Request to Extend the Period of Project Completion for One local STIP project for \$7,935,000. Waiver-05-28 2.8c.(1)

Deputy Director Stephen Maller reviewed Items #81 and #82 and recommended the Commission grant the requested time extensions.

Commissioner Lindsey moved to approve staff’s recommendation. Commissioner Lawrence seconded the motion, which carried 9-0.

- 82. • Request to Extend the Period of Project Completion for One Intercity Rail STIP project on the Capitol Corridor for \$1,400,000. Waiver-05-29 2.8c.(2)

See Item #81.

STATUS OF ACTION ITEMS
From
December 15, 2005 Commission Meeting

- 3 (1.3) John Barna – Work on the Commission’s operating procedures, and bring back at the February Commission meeting for review. *(February Agenda Item)*
- **This will be discussed at the February meeting under Tab 9, Agenda Item 1.3.**
- 3 (1.3) Robert Chung – Prepare a letter for Chair Tavaglione’s signature and complete the form to nominate the Mission Meridian Transit-Oriented Development Project for a Tranny Award.
- **This will be done.**
- 6 (1.6) Ross Chittenden – Schedule a meeting in January with Commissioners Ghielmetti, Lindsey and Tavaglione, to review the Department’s estimating practices and ask the Department to prepare a presentation on its estimating practices at the February Commission meeting. *(February Agenda Item)*
- **This will be discussed at the February meeting under Tab 4, Agenda Item 1.6.**
- 13 (3.12) Ross Chittenden/Steve VanDenburgh – Have Caltrans and Regions update all project support costs for the 2006 STIP.
- **This will be done.**
- 14 (3.13) Bill Bronte – Respond to the Commission and Staff by letter explaining the causes for the disproportionate cost of operating expenses on the Capitol Corridor; also separate out the on-time performance statistics between the Northern and Southern portion of the Surfliner.
- **This will be done.**
- 18 (3.18) Robert Chung – Work with MTC, VTA and BART and have those agencies provide an update on BART to San Jose at the February Commission meeting. *(February Agenda Item)*
- **This item has been rescheduled for a future 2006 Commission meeting.**
- 18 (3.18) Ross Chittenden – Reconvene the Ad Hoc Committee to look at the allocation criteria for the TCRP.
- **This is in process now and the Ad Hoc Committee will be meeting in the near future.**

- 30 (2.4a(2)) Bimla Rhinehart – Work out an agreement with Mr. Sparks allowing temporary access to his property along Marks Avenue until actual construction requires cancellation of the temporary access, and report back at the February Commission meeting. (*February Agenda Item*)
- **This will be discussed at the February meeting under Tab 60, Agenda Item 2.4f.**
- 25 (3.10) Stephen Maller – Report back to the Commission on the process of assembling the cranes for work on the Bay Bridge.
- **This will be done.**
- 65 (3.15) Robert Chung – Have the TACA Committee consider, as part of its charge next year, land use issues and interconnectivity between airports.
- **This will be done.**
- 66 (4.10) David Brewer – Finalize Annual Report with Chair Tavaglione and distribute to California Legislature by January 3, 2006.
- **This has been done.**
- 72 (4.3) Robert Chung/Mary Frederick – Correct the CASP to eliminate inconsistencies in the Land Use policy.
- **This will be done.**