

# **MINUTES**

## **CALIFORNIA TRANSPORTATION COMMISSION**

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

**December 13-14, 2006  
San Francisco, California**

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### **Wednesday, December 13, 2006**

**2:00 p.m.**

**Commission Meeting**

**Hilton San Francisco  
Plaza A Room  
333 O'Farrell Street  
San Francisco, California**

#### **GENERAL BUSINESS**

1.

- 1**      • Roll Call      1.1

The meeting of the California Transportation Commission was called to order by Chair Bergeson at 2:10 p.m. on December 13, 2006, at the Hilton San Francisco, Plaza A Room, 333 O'Farrell Street, San Francisco, California.

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

Members Present:    Marian Bergeson, Chair  
                          James Ghielmetti, Vice Chair  
                          Bob Alvarado  
                          John Chalker  
                          Jeremiah Hallisey  
                          R. Kirk Lindsey  
                          Joe Tavaglione  
                          Estepan Torres  
                          Larry Zarian

Members Present:    Senator Alan S. Lowenthal, Ex-Officio

Members Absent:    Assemblymember Jenny Oropeza, Ex-Officio

- 2**      • Approval of Minutes for November 8-9, 2006 Meeting      1.2

Chair Bergeson asked for approval of the November 8-9, 2006 meeting minutes.

Commissioner Bergeson noted the following correction to the November 2006 minutes on Page 9, under Item #15, the last sentence of the second to the last paragraph.



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Commissioner Lindsey moved to approve the guidelines, as presented by staff, with the noted change to Section 2. Commissioner Tavaglione seconded the motion, which carried 9-0.

- 8                      • Adoption of Schedule for 2006 STIP Augmentation                      4.3

Chief Deputy Director David Brewer reviewed the 2006 STIP Augmentation schedule, which was deferred from last month’s Commission meeting due to concerns expressed by David Yale, LAMTA, over the April 2 RTIP deadline. Mr. Brewer recommended the Commission adopt the 2006 STIP Augmentation schedule as presented in the Book Item.

Commissioner Ghielmetti moved to approve the 2006 STIP Augmentation schedule, as recommended by staff. Commissioner Chalker seconded the motion, which carried 9-0.

- **Revise 2007 Meeting Schedule to include North and South STIP Hearings, as adopted at the CTC Meeting; distribute and have posted on the CTC website.**

**ACTION: Mary Lea Filbert**

- 9                      • Policies and Procedures for 2006 STIP Augmentation                      4.4  
                          **Resolution G-06-20**

Chief Deputy Director David Brewer reviewed this item and recommended the Commission approve the Policies and Procedures for the 2006 cycle with the editorial corrections to the underlying STIP guidelines that were necessary to match statutory requirements.

Commissioner Lindsey referenced the letter from Ginger Gherardi, Executive Director of Ventura County Transportation Commission, dated December 1, 2006, which was distributed as a pink at the meeting.

Commissioner Lindsey moved to adopt the Policies and Procedures specific to the 2006 STIP Augmentation as well as corrections to the STIP guidelines. Commissioner Chalker seconded the motion, which carried 9-0.

- **Finalize, distribute, and post on the CTC website the STIP Guidelines, as revised at the CTC Meeting.**

**ACTION: David Brewer**

- 10                     • Adoption of 2006 STIP Augmentation Fund Estimate                     4.5  
                          **Resolution G-06-21**

Chief Deputy Director David Brewer reviewed the “Draft 2006 STIP Augmentation Fund Estimate (FE), Summary of Targets and Shares,” which was distributed as a pink at the meeting. Based on updated revenues, including revised sales tax revenue forecasts and Proposition 1B proceeds, Mr. Brewer recommended the Commission approve an augmentation of the 2006 STIP Fund Estimate.

Norma Ortega, Caltrans, gave a PowerPoint presentation entitled, “2006 STIP Fund Estimate Augmentation.” The augmentation represented a net change in program capacity of \$1.996 billion over the six-year total from the 2006 STIP Fund Estimate that was adopted in September 2005.

Commissioner Alvarado moved to approve the 2006 STIP Fund Estimate Augmentation, as recommended by staff. Commissioner Lindsey seconded the motion, which carried 9-0.

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11 • State / Local Partnership Program Policy 4.2

Executive Director John Barna briefly reviewed this information item.

Chief Deputy Director David Brewer presented the draft guidelines for the Proposition 1B State-Local Partnership Program. There was a lengthy discussion regarding eligible projects and what constitutes a local funding match.

Kathryn Mathews, Rural Counties Task Force, David Yale, LAMTA, and Debbie Hale, Transportation Agency for Monterey County, commented on the State and Local Partnership Program.

12 • Trends and Funding Options for the SHOPP 4.6

Executive Director John Barna announced that the Trends and Funding for the SHOPP was scheduled to be presented on the “Estimated Time Agenda” on Wednesday, December 13, but was moved to be presented on Thursday, December 14 to allow time for the Commissioners to further review this item.

A PowerPoint entitled, “State Highway Operation and Protection Program (SHOPP)” was presented by the following members of the Department:

Ross Chittenden, Caltrans, reported on the state of funding and financing for the 2007 Ten-Year SHOPP Plan. The Ten-Year SHOPP is significantly under-funded and all the programs will be impacted.

Michael Miles, Deputy Director of Maintenance and Operations, discussed the Department’s pavement program, projections for pavement conditions under the current funding and delivery plans, and draft pavement preservation strategies.

Scott McGowen, Caltrans, discussed the Stormwater Program, the risks of not funding aspects of the program, and what risk management strategies the Department has developed due to the funding constraints.

Mark Leja, Chief, Division of Design, discussed the Department’s vision for roadside rest areas and current Department activities related to roadside rests.

Chair Bergeson expressed her appreciation for the Department’s efforts.

- **At the January Commission meeting, provide information on capital outlay support for the SHOPP. Also examine the true costs of legislative and regulatory mandates versus what’s not getting done within the SHOPP. (January Agenda Item)**

**ACTION: Ross Chittenden**

- **Per Commissioner Zarian’s suggestion, use local and regional assistance to promote “Don’t Trash California” and, in particular, to promote behavioral changes regarding storm water runoff.**

**ACTION: Tamie McGowen**

13 • Status Report on Implementation of Short-Term Mobility Projects 4.10

Deputy Director Maura Twomey noted this Item was on the “Estimated Time Agenda” to be heard on December 13, but requested this item be presented on Thursday, December 14.

John Wolf, Caltrans, presented a report on the implementation of the Short-Term Mobility Projects that the Department had highlighted for the Commission earlier in the year. Mr. Wolf stated that the projects were on track for delivery this year.

**ADJOURN**

The meeting of the California Transportation Commission adjourned at 4:30 p.m.

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**Thursday, December 14, 2006**

**9:00 a.m. Commission Meeting**

**Hilton San Francisco  
Plaza A Room  
333 O'Farrell Street  
San Francisco, California**

**1** • Roll Call **1.1**

The meeting of the California Transportation Commission was called to order by Chair Bergeson at 9:00 a.m. on December 14, 2006, at the Hilton San Francisco, Plaza A Room, 333 O'Farrell Street, San Francisco, California.

No roll call was conducted, but Chair Bergeson noted that all nine Commissioners were present.

Members Present: Marian Bergeson, Chair  
James Ghielmetti, Vice Chair  
Bob Alvarado  
John Chalker  
Jeremiah Hallisey  
R. Kirk Lindsey  
Joe Tavaglione  
Esteban Torres  
Larry Zarian

Members Present: Senator Alan S. Lowenthal, Ex-Officio

Members Absent: Assemblymember Jenny Oropeza, Ex-Officio

**BUSINESS, TRANSPORTATION & HOUSING AGENCY REPORT**

**14** • Report by Agency Secretary and/or Deputy Secretary **1.6**

This Item was scheduled on the "Estimated Time Agenda" to be heard on December 14, but due to timing issues was heard on Wednesday, December 13.

Jim Bourgart, Assistant Secretary BTH, reported on engineering education, the Industry Capacity Expansion initiative, Regional Blueprint Planning, the Self-Help Counties' annual conference, and the county sales tax election results.

**CALTRANS REPORT**

**15** • Report by Caltrans' Director and/or Deputy Director **1.7**

This Item was on the "Estimated Time Agenda" to be heard on December 14, but due to time constraints was heard on Wednesday, December 13. This is an information item only and no action was taken.

Director Kempton briefly reviewed the Department's 2005-06 Annual Report and explained how allocations will affect the construction industry. Extensive outreach efforts are being made to the construction industry to get a larger number of bidders and better bids. With regard to the FY 2006-07 Delivery Contracts, Director Kempton said he was emphasizing to his managers the importance of getting projects advertised and awarded timely.

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Director Kempton thanked the Department, the Commission staff, and all of the regional agencies on the development of the preliminary draft Corridor Mobility Improvement Account project listing.

- Work in conjunction with Caltrans and the RTPAs to expedite the FHWA review process.

**ACTION: Ross Chittenden/Mitch Weiss**

**REGIONAL AGENCIES AND RURAL COUNTIES REPORT**

- 16**      • Report by Regional Agencies Moderator      1.8

This Item was on the “Estimated Time Agenda” to be heard on December 14, but due to time constraints was heard on Wednesday, December 13. This is an information item only and no action was taken.

Lisa Rheinheimer, Regional Agency Moderator, reviewed the highlights of the Regional Agencies meeting that was held earlier in the day. She thanked the Commission and staff for their hard work on the CMIA process. Executive Director John Barna congratulated Ms. Rheinheimer for her recent appointment as Executive Director of the San Benito Council of Governments beginning January 14, 2007.

- 17**      • Report by Rural Counties Task Force Chair      1.9

This Item was on the “Estimated Time Agenda” to be heard on December 14, but due to time constraints was heard on Wednesday, December 13. This is an information item only and no action was taken.

Kathryn Mathews, RCTF Chair, announced that this was her last meeting as Chair and introduced Mike Woodman, who was selected to take over her duties. Chair Bergeson said she has achieved a much greater appreciation for the rural counties’ issues through Ms. Mathews.

Commissioner Lindsey thanked Ms. Mathews and cautioned that any bond proposals that come before the Commission are going to have to make sense.

**INFORMATION CALENDAR (#18-25)**      **IC**

This Item was on the “Estimated Time Agenda” to be heard on December 14, but due to time constraints was heard on Wednesday, December 13. This is an information item only and no action was taken.

Deputy Director Stephen Maller presented the Information Calendar, Agenda Items #18 through #25, and indicated individual presentations on the information calendar items would not be made unless a Commissioner requested a presentation or had questions. There were no commissioner requests for presentations or questions.

- 18 IC**      • Informational Report on Emergency G-11 Allocations. 2.5f.(1)  
Five Projects totaling \$15,187,000.

This item was presented on the Information Calendar.

- 19 IC**      • Informational Report on SHOPP Safety G-03-10 2.5f.(3)  
Allocations. Two Projects totaling \$5,800,000.

This item was presented on the Information Calendar.

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- 20 IC • Informational Report on Minor G-05-05 Allocations. 2.5f.(4)  
Six Projects totaling \$3,572,000.

This item was presented on the Information Calendar.

Correction was made to Agenda Vote List for Project #2, as noted on the pink – “Changes to CTC Agenda.”

- 21 IC • Monthly Report on Local Assistance STIP Projects 3.2  
Previously Voted but not Awarded

This item was presented on the Information Calendar.

- 22 IC • Monthly Status of Construction Contract Award for State 3.3a.  
Highway Projects, per FY 2005-06 Allocation Plan Criteria  
and Resolution G-06-08

This item was presented on the Information Calendar.

- 23 IC • Monthly Status of Construction Contract Award for Local 3.3b.  
Assistance STIP Projects, per FY 2005-06 Allocation Plan  
Criteria and Resolution G-06-08

This item was presented on the Information Calendar.

Correction was made to the Book Item, as noted on the pink – “Changes to CTC Agenda.”

- 24 IC • Status of Construction Contract Award for Traffic 3.3c.  
Congestion Relief Program Projects, per FY 2005-06  
Allocation Plan Criteria and Resolution G-06-08

This item was presented on the Information Calendar.

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

This item was presented on the Information Calendar.

**END OF INFORMATION CALENDAR**

**CONSENT CALENDAR (#26-53)**

**CC**

Deputy Director Robert Chung reviewed the Consent Calendar, which was scheduled on the “Estimated Time Agenda” to be heard on December 14. Due to timing constraints, all consent calendar items were heard on December 13 except for Item #43, which was heard on Thursday, December 14.

Mr. Chung recommended the Commission adopt the Consent Calendar, Items #26 through #53, with the following modifications: The changes, as noted on the pink – “Changes to CTC Agenda,” for Items #34, #40, #44 and #52; Item #43 was removed from the Consent Calendar for separate discussion and vote and was heard on December 14. Item #26 was withdrawn prior to the meeting, and Item #44 is a Resolution of Necessity that requires six affirmative votes.

Commissioner Lindsey moved to approve the Consent Calendar, as modified and recommended by staff. Commissioner Tavaglione seconded the motion, which carried 9-0.

Tab # / Time	Item Description	Ref. #	Presenter	Status*
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<p><del>26</del> <b>CC</b> <b>WITH-DRAWN</b></p>	<p><del>• STIP Amendment 06S-015</del> The Department and San Diego Associated Governments are requesting to program \$81,289,000 of Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) Border Infrastructure Program (BIP) funds to Construction in FY 2006-07 for the Route 905 freeway – Otay Mesa project (PPNO-0374K) in San Diego County. This amendment will also revise the project scope from a four-lane freeway to the six-lane freeway as originally programmed, shift \$9,461,000 programmed in the IIP from Construction to the Environmental and Design phases, shift \$6,355,000 programmed in the IIP from Construction to Construction Support, and shift \$1,209,000 programmed in the RIP from Construction to Construction Support.</p>	<p><del>2.1a.</del></p>		
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This item was withdrawn from the agenda prior to the Commission meeting, as noted on the pink – “Changes to CTC Agenda.”

<p><b>27</b> <b>CC</b></p>	<p>• The Los Angeles County Metropolitan Transportation Authority requests a TCRP Application Amendment to program \$18,000,000 in new TCRP funds to PA&amp;ED, amend the scope of work, and update the project schedule and funding plan for TCRP Project #38.2 – 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. Resolution TAA-06-61, Amending Resolution TAA-04-11</p>	<p>2.1c.(1)</p>		
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This item was approved on the Consent Calendar.

<p><b>28</b> <b>CC</b></p>	<p>• The San Bernardino Associated Governments requests a TCRP Application Amendment to program \$350,000 in new TCRP funds to Construction, redistribute a total of \$180,000 from PS&amp;E to PA&amp;ED, and update the project schedule and funding plan for Project #55.3 – Alameda Corridor East; build grade separations on Burlington Northern-Santa Fe and Union Pacific Railroad lines, Los Angeles County line to Colton, with rail-to-rail separation at Colton in San Bernardino County – Hunts Lane and State Street/University Parkway. (Related Item under 2.6e.) Resolution TAA-06-62, Amending Resolution TA-02-13</p>	<p>2.1c.(2)</p>		
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This item was approved on the Consent Calendar.

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| 29 | CC | <ul style="list-style-type: none"> <li>• The Department requests a TCRP Application Amendment to redistribute a total of \$230,000 from PS&amp;E to Construction, and update the project schedule and funding plan for Project #95 – Route 41; add auxiliary lane/operational improvements and improve ramps at Friant Road Interchange in Fresno in Fresno County. <i>(Related Item under 2.6e.)</i></li> </ul> Resolution TAA-06-63, Amending Resolution TAA-06-04 | 2.1c.(3) |  |
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This item was approved on the Consent Calendar.

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| 30 | CC | <ul style="list-style-type: none"> <li>• Environmental Matters: Approval of Project for Future Consideration of Funding: Route 41 in Kings County – Rehabilitate roadway near Lemoore (ND).</li> </ul> Resolution E-06-32 | 2.2c.(1) |  |
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This item was approved on the Consent Calendar.

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| 31 | CC | <ul style="list-style-type: none"> <li>• Environmental Matters: Approval of Project for Future Consideration of Funding: Route 12 in Sonoma County – Rehabilitate roadway near Kenwood (ND).</li> </ul> Resolution E-06-33 | 2.2c.(2) |  |
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This item was approved on the Consent Calendar.

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| 32 | CC | <ul style="list-style-type: none"> <li>• One Relinquishment Resolution 12-Ora-5-PM 35.2</li> </ul> Route 5 in the City of Orange<br>Resolution R-3651 | 2.3c. |  |
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This item was approved on the Consent Calendar.

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| 33 | CC | <ul style="list-style-type: none"> <li>• One Vacation Resolution 2-Sha-44-PM 53.6 (KP 86.26)</li> </ul> Route 44 in the County of Shasta<br>Resolution A-863 | 2.3d. |  |
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This item was approved on the Consent Calendar.

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| 34 | CC | <ul style="list-style-type: none"> <li>• <del>Ten</del> <b>Nine</b> Resolutions of Necessity</li> </ul> Resolutions C-19529 through <b>C-19536</b> and C-19538 | 2.4b. |  |
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This item was approved on the Consent Calendar, as modified.

Resolution C-19537 (Marshall, 10-Sta-99) was withdrawn prior to the CTC meeting, as noted on the pink – “Changes to CTC Agenda.”

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| 35 | CC | <ul style="list-style-type: none"> <li>• Director’s Deeds</li> </ul> Items #1 and #2<br>Excess Lands – Return to State: \$0<br>Return to Others: \$0 | 2.4d. |  |
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This item was approved on the Consent Calendar.

Tab # / Time	Item Description	Ref. #	Presenter	Status*
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- 36 CC • Financial Allocation for Four District Minor Projects totaling \$2,406,000. Resolution FP-06-45 2.5a.

This item was approved on the Consent Calendar.

- 37 CC • Financial Allocation for Four SHOPP Projects totaling \$196,609,000. Resolution FP-06-46 2.5b.(1)

This item was approved on the Consent Calendar.

- 38 CC • Financial Allocation for Seven SHOPP Projects totaling \$2,675,000 Amended into the SHOPP by Department action. Resolution FP-06-47 2.5b.(2)

This item was approved on the Consent Calendar.

- 39 CC • Financial Allocation for One SHOPP Transportation Enhancement Project for \$2,515,000. Resolution FP-06-48 2.5b.(3)

This item was approved on the Consent Calendar.

- 40 CC • Financial Allocation for Four SHOPP Short-Term Mobility Projects totaling \$15,045,000. Resolution FP-06-49 2.5b.(4)

This item was approved on the Consent Calendar, as modified.

Corrections were made to Projects #1 and #3 regarding the outcome/output description on the Agenda Vote List, as noted on the pink – “Changes to CTC Agenda.”

- 41 CC • Financial Allocation for One State-Administered STIP Project on the State Highway System for \$728,000. Resolution FP-06-50 2.5c.(1)

This item was approved on the Consent Calendar.

- 42 CC • Financial Allocation for Two Locally-Administered STIP Projects on the State Highway System totaling \$15,200,000. Resolution FP-06-51 2.5c.(2)

This item was approved on the Consent Calendar.

- 43 CC • Financial Allocation for Five Locally-Administered STIP Projects off the State Highway System totaling \$22,634,000, plus \$34,032,036 from other sources. Resolution FP-06-52 2.5c.(3)

Item #43 was removed from the Consent Calendar for separate discussion and vote and heard on Thursday, December 14.

Tab # / Time	Item Description	Ref. #	Presenter	Status*
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Chief Deputy Director David Brewer reviewed the item and recommended the Commission approve all projects except for Project #5 (PPNO K654). Project #5 was an allocation request for funding in advance of the fiscal year that the funding was programmed. Mr. Brewer asked that the Commission defer Project #5 to a later date pending a report on this year’s allocation capacity.

Commissioner Ghielmetti moved to approve Projects #1 through #4 and defer Project #5, as recommended by staff. Commissioner Torres seconded the motion, which carried 9-0.

- 44 CC** • Financial Allocation for Six Locally-Administered STIP Transportation Enhancement Projects totaling \$2,080,000, plus \$3,066,900 from other sources. Resolution FP-06-53 2.5c.(5)

This item was approved on the Consent Calendar, as modified.

Correction was made to Project #5 on the Agenda Vote List, as noted on the pink – “Changes to CTC Agenda.”

- 45 CC** • Financial Allocation for Three Locally-Administered STIP Planning, Programming and Monitoring Projects totaling \$447,000. Resolution FP-06-54 2.5c.(6)

This item was approved on the Consent Calendar.

- 46 CC** • Financial Allocation for Two Locally-Administered STIP Rail/Transit Projects totaling \$8,350,000, plus \$562,000 from other sources. Resolution MFP-06-12 2.6a.(1)

This item was approved on the Consent Calendar.

- 47 CC** • Financial Allocation for One State-Administered STIP Rail Project for \$500,000. Resolution MFP-06-13 2.6a.(2)

This item was approved on the Consent Calendar.

- 48 CC** • Financial Allocation for two TCRP projects totaling \$30,070,000 in new TCRP funding, including allocation amendments to redistribute existing funds. Resolution TFP-06-27, Amending Resolution TFP-06-03 2.6e.

This item was approved on the Consent Calendar.

- 49 CC** • Financial Allocation for Six Locally-Administered California Aid to Airports Program (CAAP) projects totaling \$1,252,200 in the 2006 Aeronautics Program. Resolution FDOA-2006-2 2.7

This item was approved on the Consent Calendar.

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|----|----|---|-------|--|
| 50 | CC | <ul style="list-style-type: none"> <li>• Technical Change to Resolution FM-05-05, originally approved on June 8, 2006, for \$188,000,000 for Right of Way capital outlay funds for FY 2006-07. A technical correction is needed to add Budget Act Item 2660-801-3008 (Transportation Investment Fund) to the text of the resolution.</li> </ul> | 2.9a. |  |
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This item was approved on the Consent Calendar.

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| 51 | CC | <ul style="list-style-type: none"> <li>• Technical correction to Resolution MFP-05-14, originally approved June 8, 2006, for \$50,935,000 for six locally-administered STIP transit projects. A technical correction is needed to correct the project description for Project # 2 – Siskiyou County’s Bus Acquisition project (PPNO 2422).</li> </ul> | 2.9b. |  |
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This item was approved on the Consent Calendar.

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| 52 | CC | <ul style="list-style-type: none"> <li>• Technical Correction to Resolution MFP-06-06, originally approved September 7, 2006 for \$4,302,000 for three State-administered STIP projects. A technical correction is needed to correct the project description for Project #2 - Security Measures (Oakland &amp; LA Facilities) project.</li> </ul> | 2.9c. |  |
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This item was approved on the Consent Calendar, as modified.

A minor correction was made on the Book Item, as noted on the pink – “Changes to CTC Agenda.”

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| 53 | CC | <ul style="list-style-type: none"> <li>• Status of Delivery of AB 3090 Project Components</li> </ul> | 3.9 |  |
|----|----|--|-----|--|

This item was approved on the Consent Calendar.

**END OF CONSENT CALENDAR**

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| 54 | • | Bi-Annual Report on Traffic Congestion Relief (TCR) Program | 4.9 |  |
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Assistant Deputy Director Annette Gilbertson presented the Bi-Annual Traffic Congestion Relief Program report, which included a summary and analysis of the results of the October 2006 bi-annual progress reports submitted by lead applicant agencies.

Ross Chittenden, Caltrans, provided a brief overview of the status of the program.

A correction was made to the agenda, as noted on the pink – “Changes to CTC Agenda.” The status should have referenced this item as an Information Item, not an Action Item.

- **Bring back at the January 2007 CTC Meeting TCRP Policy consideration and legal issues regarding tribal gaming and Proposition 42. (January Agenda Item)**

**ACTION: Ross Chittenden**

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**Supplemental Funds/Request for Extensions (#55-60)**

- 55**                      • Financial Allocation for Supplemental Funds for                      2.5e.  
**WITH-**                      Previously Voted Projects. One STIP project for  
**DRAWN**                      \$9,700,000 to complete construction.  
                                     Resolution FA-06-10

— 07 LA 405, STIP Project in Los Angeles County.  
                                     Current allocation is \$2,237,200. This request for  
                                     \$9,700,000 to complete construction results in an  
                                     increase of 433.6% over the current allocation.

This item was withdrawn from the agenda prior to the Commission meeting, as noted on the pink – “Changes to CTC Agenda.

- 56**                      • Request to Extend the Period of Contract Award for                      2.8b.(2)  
                                     Eight **Five** State-Administered STIP projects totaling  
                                     \$147,256,000 **\$100,676,000** and ~~Eleven~~ **Ten** SHOPP  
                                     projects totaling \$73,524,000 **\$73,274,000**, per  
                                     FY 2005-06 Allocation Plan Criteria and Resolution  
                                     G-06-08.  
                                     Waiver-06-44

Deputy Director Maura Twomey reported that Projects #4, #10, #15 and #19 were withdrawn prior to the meeting, because these projects have been awarded, and recommended approval of time the extensions for the remaining projects.

The Commissioners expressed concerns with the number of projects that continue to have cost estimating issues.

Corrections were made to the agenda language, Book Item and Book Item Attachment, as noted on the pink – “Changes to CTC Agenda.”

Commissioner Ghielmetti moved to approve the time extensions, as modified. Commissioner Alvarado seconded the motion, which carried 9-0.

- 57**                      • Request to Extend the Period of Contract Award for                      2.8b.(3)  
                                     One Locally-Administered STIP project on the State  
                                     Highway System for \$11,450,000, per FY 2005-06  
                                     Allocation Plan Criteria.  
                                     Waiver-06-45

Deputy Director Maura Twomey reviewed this item and recommended approval.

Commissioner Tavaglione moved to approve the time extensions. Commissioner Alvarado seconded the motion, which carried 9-0.

- 58**                      • Request to Extend the Period of Contract Award for                      2.8b.(4)  
**WITH-**                      One Locally Administered STIP project on the State  
**DRAWN**                      Highway System for \$6,739,000 per FY 2005-06  
                                     Allocation Plan Criteria.  
                                     Waiver 06-46

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This item was withdrawn from the agenda prior to the Commission meeting, as noted on the pink – “Changes to CTC Agenda.”

- 59      • Request to Extend the Period of Contract Award for 2.8b.(1)  
          47 **16** Locally-Administered STIP projects totaling  
          \$32,126,000 **\$31,823,000**, per FY 2005-06 Allocation  
          Plan Criteria and Resolution  
          G-06-08.  
          Waiver-06-43

Deputy Director Maura Twomey reviewed the changes to the extension requests and recommended the Commission approve all projects, as requested with the following exceptions: Project #4 – six months, Project #5 – four months, Project #6 – five months, Project #7 – six months, Project #9 – six months, Project #12 – 8 months, Project #13 – six months, and Project #16 – six months.

Corrections were made to the agenda language, Book Item and Book Item Attachment, as noted on the pink – “Changes to CTC Agenda.”

Commissioner Lindsey moved to approve the extensions, as modified and recommended by staff. Commissioner Torres seconded the motion, which carried 9-0.

- 60      • Request for Waiver of AB 1012 Seventh Cycle “Use 2.8f.  
          It or Lose It” Provisions for Regional Agency  
          Apportioned Federal Funds totaling \$7,660,177 for  
          Five Agencies.  
          Waiver-06-47

Deputy Director Maura Twomey reviewed this item and recommended approval.

Commissioner Tavaglione moved to approve the Waiver. Commissioner Chalker seconded the motion, which carried 9-0.

**POLICY MATTERS (#61-65)**

- 61      • State and Federal Legislative Matters 4.1  
          \*The Commission may consider bills or resolutions  
          newly introduced, recently amended, or calendared for  
          Legislative committee or floor action, subsequent to  
          publication of this agenda. For further information, call  
          Executive Director John Barna at (916) 654-4245.

Deputy Director Robert Chung reviewed this item and recommended the following action:

- **Seek authors for amendments to the “Roberti Bill” statutes and propose revisions to statues on aeronautics regarding funding and airport land use compatibility.**

**ACTION: Robert Chung**

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

Tab # / Time	Item Description	Ref. #	Presenter	Status*
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**62** • TACA Report on Aviation Issues 4.8a.

Deputy Director Robert Chung briefly reviewed Items #62 and #63 together and recommended approval.

John Pfeiffer, Chair of the Commission’s Technical Advisory Committee on Aeronautics, briefly reviewed TACA’s accomplishment and issues reports. He then discussed upcoming legislation at the Federal and State level and the need for Commission support.

Commissioner Ghielmetti moved for approval. Commissioner Chalker seconded the motion, which carried 9-0.

- **Provide Commission support on proposed State legislation for aeronautics and also provide communications to Congressional Delegation and the Governor regarding FAA Reauthorization.**

**ACTION: John Barna/Robert Chung**

**63** • TACA Report on Accomplishments 4.8b.

This Item was presented under Item #62.

**64** • Adoption of 2006 Annual Report to Legislature 4.7

Executive Director John Barna briefly reviewed this item and recommended the Commission to adopt the Draft 2006 Annual Report to Legislature, with final approval delegated to the Executive Committee.

Commissioner Ghielmetti moved for approval. Commissioner Chalker seconded the motion, which carried 9-0.

**65** • Report on Toll Bridge Program Oversight Committee Activity 3.1

Deputy Director Stephen Maller reported on the activities of the Toll Bridge Program oversight committee.

**Highway Right of Way Matters (#66-69)**

**66** • Resolution of Necessity – Appearance 2.4a.(3)  
**6 AYES** George W. Powers, et ux.  
 11-SD-125-PM 9.4  
 Resolution C-19527

Deputy Director Stephen Maller reviewed the statutory requirements for Items #66, #67, #68, and #69 and indicated each item would be presented and discussed separately.

Mr. Maller stated that for Agenda Item #66 the property owners chose to submit their opposition to the resolution of necessity by way of a written statement instead of an in person appearance. Mr. Maller stated the property owners’ written statement is included in the commission book and is incorporated into the administrative record of this proceeding. Chair Bergeson asked if Mr. Powers or a representative was in the audience and was interested in addressing the Commission. There was no response from the audience. With no one wishing to address the Commission, Mr. Maller recommended that the Commission approve the resolution of necessity.

Commissioner Ghielmetti moved to approve the Resolution of Necessity, as recommended by staff. Commissioner Chalker seconded the motion, which carried 9-0.

Tab # / Time	Item Description	Ref. #	Presenter	Status*
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**67** • Resolution of Necessity – Appearance 2.4a.(4)  
**6 AYES** Georges E. Argoud, Trustee, et al.  
 11-SD-125-offsite  
 Resolution C-19528

Deputy Director Stephen Maller reviewed the statutory requirements for this item under Item #66.

Mr. Maller noted an opposition letter was distributed at the meeting and was incorporated into the administrative record of this proceeding.

Chair Bergeson asked if Mr. Argoud or a representative was in the audience and was interested in addressing the Commission. There was no response from the audience. With no one wishing to address the Commission, Mr. Maller recommended that the Commission approve the resolution of necessity.

Commissioner Tavaglione moved to approve the Resolution of Necessity, as recommended by staff. Commissioner Ghielmetti seconded the motion, which carried 9-0.

**68** • Resolution of Necessity – Appearance 2.4a.(1)  
**6 AYES** Macy’s California Realty, L.L.C., et al.  
 08-SBd-215-PM 5.37  
 Resolution C-19525

Deputy Director Stephen Maller reviewed the statutory requirements for this item under Item #66 and further reviewed Items #68 and #69 together.

Mr. Maller noted that the property owners impacted by the resolutions of necessity under Item #68 and Item #69 chose not to appear.

Chair Bergeson asked if there was any interested party in the audience that would like to address the Commission under these two agenda items. There was no response from the audience. With no one wishing to address the Commission, Mr. Maller recommended that the Commission approve the resolutions of necessity.

Commissioner Tavaglione moved to approve the Resolutions of Necessity under Item #68 and Item #69, as recommended by staff. Commissioner Ghielmetti seconded the motion, which carried 9-0.

**69** • Resolution of Necessity – Appearance 2.4a.(2)  
**6 AYES** WM Inland Investors IV, L.L.C., et al.  
 08-SBd-215-PM 5.43  
 Resolution C-19526

This item was presented under Item #68.

Correction was made to the agenda language, as noted on the pink – “Changes to CTC Agenda.”

**PROGRAM STATUS (#70-77)**

**70** • FY 2006-07 1<sup>st</sup> Quarter Finance Report 3.7

Deputy Director Mitch Weiss reviewed this item.

Norma Ortega, Caltrans, gave a PowerPoint presentation entitled, “Department of Transportation, Quarterly Finance Report, First Quarter 2006-07.”

Tab # / Time	Item Description	Ref. #	Presenter	Status*
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71 • FY 2006-07 1<sup>st</sup> Quarter Project Delivery Report 3.5

Deputy Director Maura Twomey reported that project delivery is on track and that the percentage delivered is better than the prior fiscal years.

Karla Sutliff, Caltrans, gave a status report on the projects delivered, environmental documents reviewed, right of way certifications, and construction contracted.

72 • FY 2006-07 1<sup>st</sup> Quarter Rail Operations Report 3.6

Deputy Director Robert Chung briefly reviewed the Department's 1<sup>st</sup> quarterly report, noting that expenses were up and on-time performance was down.

Bill Bronte, Caltrans, gave a status report on the projects delivered, ridership, on-time performance, and farebox ratios for all corridors.

- **As requested by Commissioner Lindsey, provide to Commissioners and staff more detailed information on Intercity Rail cost increases due to fuel and insurance.**

**ACTION: Bill Bronte**

- **At the January Commission meeting provide information on decrease in Surfliner on-time performance, and also track the degree of tardiness for all intercity trains. (January Agenda Item)**

**ACTION: Bill Bronte**

73 • 2006 Annual Real Property Retention Review 3.13

Deputy Director Robert Chung briefly reviewed this item.

Bimla Rhinehart, Caltrans, reviewed the parcels available and the plans and target dates for disposal. The Real Property Retention policy is currently under review.

- **Revisit the current two-year standard to try and reduce it to a six-month deadline for disposal of Caltrans right of way excess parcels that are being held for local public agencies.**

**ACTION: Bimla Rhinehart**

74 • Quarterly Non-Toll Seismic Safety Retrofit Report 3.8

Deputy Director Stephen Maller presented the Quarterly Non-Toll Seismic Safety Retrofit Report.

- **Examine why five of the Phase 2 Seismic Retrofit Bridges construction dates are slipping to 2012 and present findings at the next quarterly report.**

**ACTION: Ross Chittenden/Stephen Maller**

75 • Local Assistance Lump Sum Allocation Year-end Report for FY 2005-06 3.12

Deputy Director Maura Twomey reviewed Items #75, #76 and #77 and recommended the Commission accept the reports as presented.

Tab # / Time	Item Description	Ref. #	Presenter	Status*
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76	<ul style="list-style-type: none"> <li>• <del>AB 1012 (Year Seven) Unobligated RSTP and CMAQ, "Use it or Lose it" Close-out Report</del> <b>Close-out Report Under AB 1012 "Use It or Lose It Provision for FFY 2004 Unobligated CMAQ and RSTP Funds.</b></li> </ul>	3.10		
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This item was presented under Item #75.

Correction was made to agenda language, as noted on the pink – "Changes to CTC Agenda."

77	<ul style="list-style-type: none"> <li>• <del>Notification of Year Eight Unobligated RSTP and CMAQ Balances under AB 1012</del> <b>AB 1012 "Use It or Lose It" Provision for FFY 2005 Unobligated CMAQ and RSTP Funds</b></li> </ul>	3.11		
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This item was presented under Item #75.

Correction was made to agenda language, as noted on the pink – "Changes to CTC Agenda."

**OTHER MATTERS / PUBLIC COMMENT**

Mahmoud Saqqa, representing San Joaquin County Public Works, asked the Commission to approve the STIP allocation request for the Wilson Way Bridge Rehabilitation project under Item #43, Project #5 at a future date.

Dr. Nancy Jewell Cross, representing Clean Air Transport Systems, presented handouts at the meeting and spoke about issues she had under Agenda Items 54, 61, and 77..

**12:30pm ADJOURN**

The meeting of the California Transportation Commission adjourned at 12:15 p.m.

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JOHN F. BARNA, Jr., Executive Director

**STATUS OF ACTION ITEMS**  
From  
December 13-14, 2006 Commission Meeting

- 7 (5.2) Ross Chittenden – Look into breaking down larger projects into smaller projects so as to be eligible for Negative Declarations rather than full EIS/EIRs.
- **This will be done.**
- 7 (5.2) David Brewer – Finalize, distribute, and post on the CTC website the Route 99 Guidelines, as revised at the CTC Meeting.
- **This has been done.**
- 8 (4.3) Mary Lea Filbert – Revise 2007 Meeting Schedule to include North and South STIP Hearings, as adopted at the CTC Meeting; distribute and have posted on the CTC website.
- **This has been done.**
- 9 (4.4) David Brewer – Finalize, distribute, and post on the CTC website the STIP Guidelines, as revised at the CTC Meeting.
- **This has been done.**
- 12 (4.6) Ross Chittenden – At the January Commission meeting, provide information on capital outlay support for the SHOPP. Also examine the true costs of legislative and regulatory mandates versus what’s not getting done within the SHOPP. (*January Agenda Item*)
- **This will be discussed under January Tab #16 Agenda Item 4.4.**
- 12 (4.6) Tamie McGowen – Per Commissioner Zarian’s suggestion, use local and regional assistance to promote “Don’t Trash California” and, in particular, to promote behavioral changes regarding storm water runoff.
- **This will be done.**
- 15 (1.7) Ross Chittenden/Mitch Weiss – Work in conjunction with Caltrans and the RTPAs to ~~resolve procedural problems with~~ **expedite** the FHWA review process.
- **This will be done.**
- 54 (4.9) Ross Chittenden – Bring back at the January 2007 CTC Meeting TCRP Policy consideration and legal issues regarding tribal gaming and Proposition 42. (*January Agenda Item*)
- **This will be discussed under January Tab #49 Agenda Item 4.5.**

- 61 (4.1) Robert Chung – Seek authors for amendments to the “Roberti Bill” statutes and propose Aeronautics revisions regarding funding and airport land use compatibility.
- **This will be done.**
- 62/63 (4.8a,b) John Barna/Robert Chung – Provide Commission support on Aeronautics State legislative revisions and also communications to Congressional Delegation for FAA Reauthorization.
- **This will be done.**
- 72 (3.6) Bill Bronte – As requested by Commissioner Lindsey, provide to Commissioners and staff more detailed information on Intercity Rail cost increases due to fuel and insurance.
- **This will be done.**
- 72 (3.6) Bill Bronte – At the January Commission meeting provide information on decrease in Surfliner on-time performance, and also track the degree of tardiness for all intercity trains. *(January Agenda Item)* **(March Agenda Item)**
- **This will be done and reported on at the March 2007 Commission meeting.**
- 73 (3.13) Bimla Rhinehart – Revisit the current two-year standard to try and reduce it to a six-month deadline for disposal of Caltrans right of way excess parcels that are being held for local public agencies.
- **This will be done.**
- 74 (3.8) Ross Chittenden/Stephen Maller – Examine why five of the Phase 2 Seismic Retrofit Bridges construction dates are slipping to 2012 and present findings at the next quarterly report.
- **This will be done.**