

Tab # / Time	Item Description	Ref. #	Presenter	Status*
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Mitchell Weiss, Deputy Director, presented key points contained in the Fund Estimate.

Norma Ortega, Chief for the Division of Budgets, gave a PowerPoint presentation on the 2008 STIP Fund Estimate. Ms. Ortega informed the Commission that the passage of SB 717 had a significant impact on the original numbers presented in the Fund Estimate. The impact of SB 717 results in a reduction in the PTA fund of \$85 million.

Commissioner Chalker expressed his concerns and wanted to know what the impact of a Prop 42 suspension and reduced spillover revenue would be over the next five years. Ms. Ortega agreed to prepare an analysis of the impact on the Fund Estimate if there is not a spillover next year and Prop 42 is suspended.

Commissioner Zarian moved to approve the Adoption of the 2008 Fund Estimate. Commissioner Bergeson seconded the motion, which carried 7-0.

Ms. Ortega presented the 2008 Aeronautics Fund Estimate.

Commissioner Bergeson moved to approve the Aeronautics Fund Estimate. Commissioner Chalker seconded the motion, which carried 7-0.

Speaker: John Ristow, Santa Clara Valley Transportation Planning Agency, addressed the Commission regarding the GARVEE Bond payment program. Mr. Ristow urged the Commission to defer debt service until the next programming round.

David Brewer, Chief Deputy Director, clarified that GARVEE bonding does not count against county shares, however the debt service does.

3	Adoption of 2008 State Transportation Improvement Program Guidelines Resolution G-07-07	4.2	A	C
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David Brewer, Chief Deputy Director, presented the 2008 State Transportation Improvement Program (STIP) Guidelines and highlighted the changes from the earlier draft. Mr. Brewer explained that clarifying language was added based on input from the regions and the Department. In addition, due to the passage of SB 717 additional language was added.

Speakers:

David Yale, LA Metro, requested that a sentence be added requiring staff to work with regions on how best work with the transit budget. Mr. Brewer agreed. Mr. Yale also commented that the provision on Page 35, Section 5 on AB 39 is not a fair provision. Mr. Brewer recommended not changing that provision.

Josh Shaw of the California Transit Association addressed the Commission in regards to the Fund Estimate.

Commissioner Lindsey moved to approve the Adoption of the 2008 STIP Guidelines. Commissioner Ghielmetti seconded the motion, which carried 7-0.

4	Presentation and Consideration of AB 1467 HOT Lane Guidelines and Application	4.3	A	C
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Maura Twomey, Deputy Director, presented the AB 1467 HOT Lane Guidelines. Ms. Twomey highlighted the key points of the guidelines and application.

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Assembly Member Nava commended the staff for being thorough in the criteria and depth of analysis. He asked staff to explain how community input would be considered by the Commission. Ms. Twomey explained the Commission's expectation that a project submitted for evaluation would document community issues and appropriate response.

Commissioner Guardino asked if the comments submitted had been addressed and Ms. Twomey stated that where appropriate, the Guidelines had been revised accordingly.

Commissioner Zarian moved to approve the AB 1467 HOT Lane Guidelines and Application. Commissioner Guardino seconded the motion, which carried 7-0.

5	Proposition 1B Trade Corridors Improvement Fund Proposal	4.4		I B
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Dale Bonner, Secretary of Business Transportation & Housing Agency, informed the Commission that they have completed eight public meetings and indicated that there was a strong consensus on the basic criteria. The Commission should expect 60 or 70 projects to be nominated.

Mr. Bonner identified several key policy issues:

- Project vs. Corridor/Regional approach
 - Targets by Region/Corridor
 - Corridor/Regional weighting
 - Targets based on formula (as proposed by the Ports of Los Angeles and Long Beach) to determine regional allocation
- Air quality and environmental justice
- New Technology
- Goods movement priorities vs. TCIF priority
 - Projects that have goods movement impact but would not be considered for funding under the TCIF.
 - Concern that Railroads, given the private benefit, be required to make a greater investment in projects that benefit them.
- Timing – whether process is too aggressive

Secretary Bonner strongly recommended that the Commission move forward with the goal of adopting a preliminary program of project by the end of the year. The bottom line is to have an appropriation in the 2008-09 budget and have funds flowing by July 1st.

John Barna, Executive Director, informed the Commissioners that they will be asked to adopt criteria in the following item.

6	Proposition 1B Trade Corridors Improvement Fund Program Development – Timeline, Criteria and Project Nomination Package	4.5		A C/B
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Andre Boutros, Chief Delivery Officer, provided the Commission with a timeline, criteria and project nomination package.

Commissioner Chalker stated his concern with the timeline. He was specifically concerned with the quality of the application and the time available for review. There will be very little opportunity for Commissioners to have input.

Commissioner Earp raised concerns on the timeline and using air quality as a screening criterion.

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Assembly Member Pedro Nava agreed with the need for an aggressive program, but it should not be a marathon. Mr. Nava explained that there is plenty of time for budget decisions. There should be an opportunity to allow for public input.

Speakers:

Henry Hog, SCAQMD, addressed the Commission urging them to consider air quality as screening criteria.

Kathryn Phillips, Environmental Defense, thanked Secretary Bonner for reaching out to the environmental groups. She is concerned that air quality, NOX and other pollutants are not given enough attention in the development of the guidelines. She requested more time for the public to have an opportunity to comment.

Jennifer Gress, representing the Senate Transportation Committee, urged a more relaxed timeline. Ms. Gress indicated that a project list is not necessary for a budget appropriation. The Legislature and environmental community must have confidence in the process; there should be more time for applying criteria and for CTC review.

Gary Gallegos, Executive Director of SANDAG, requested expanding the timeline. He stated that San Diego was in a crisis mode due to the fires and after the crisis, they will be in recovery mode. Mr. Gallegos added that there is a great need to engage policy makers and stakeholders and bring quality projects forward.

Anne Mayer, Executive Director of SANBAG, spoke on behalf of ten agencies. Their ports represent 90% of incoming and 75% of outgoing state cargo. The agencies have formed consensus and strongly support that the Commission move quickly to allocate \$2 billion by corridor, with one application per corridor. Eligibility, deliverability and air quality should apply in all corridors. Ms. Mayer stated that they would like to participate in criteria development. She concluded by saying the projects are not new, what is new is agencies working together.

Juan Acosta, BNSF, addressed comments made by Harry Hogo of SCAQMD. The project will replace a commerce facility and will take 1 ½ million trucks off I 710. BNSF is committed to use cleaner trucks early and is committed to all electric trains. BNSF had no intentions of requesting TCIF funds but may change its position.

Secretary Bonner appreciated the comments and acknowledged prior work of others and that an outcome is needed that everyone can be comfortable with.

Commissioner Lindsey moved to approve the timeline through November 7, 2007. Commissioner Guardino seconded the motion, which carried 7-0.

Commissioner Guardino commended the great testimony and motioned to include NOX and Greenhouse Gas in the air quality criteria. He later withdrew his motion.

Commissioner Earp raised concerns about using air quality as a screening criterion.

John Barna, Executive Director, requested the Commission allow staff to work with stakeholders and to bring back the guidelines at the November 7th - 8th meeting.

Highway Right of Way Matters

2.4

7 Resolutions of Necessity – Appearances
Resolution C-19712 through C-19718

2.4a.

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The following Resolutions of Necessity, except for Resolution C19718, were presented together. The property owners were represented by Attorney Kenney L. Scruggs, who is also one of the property owners.

Andre Boutros, Chief Delivery Officer, reviewed the statutory authority for this item. In adopting a Resolution of Necessity the Commission must determine that (1) public interest and necessity require the project, (2) the proposed project is planned or located in a manner that is most compatible with the greater public good and the least private injury, and (3) the property described in the resolution is necessary for the proposed project. Under State law the Commission does not determine the amount or value of compensation.

Tom Hallenbeck, District 9 Director, provided an overview of the properties for which the Department is seeking Resolutions of Necessity.

Kenney L. Scruggs, Attorney and property owner, addressed the Commission on behalf of the Sean McClelland, Sedoo Family, Loyd J. Hopper and Tamara Cohn properties. She provided a description of the sequence of events. She stated that the owners support expanding the two lane highway to a four lane highway. However, they are not in agreement with the sidewalks and the removal of 100 trees.

Commissioner Zarian recommended that the Department and the property owners try to come up with an alternative.

Commissioner Lindsey stated that the Commission cannot always send the Resolutions of Necessity back. He emphasized that the Commission’s job is not to determine if the design is adequate. Commissioner Guardino agreed with Commissioner Lindsey.

-- Sean McClelland 09-Iny-395-PM 73.16 Resolution C-19712	2.4a.(1)	A	D
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Commissioner Zarian moved to postpone the decision on the Resolution of Necessity and bring the item back in December. Commissioner Chalker seconded the motion, which carried 5-1. Commissioner Lindsey voted no. (Commissioners Bergeson was absent.)

-- Gerald C. Sedoo and Mikel D. Sedoo, as Trustees of the Sedoo Family Trust 09-Iny-395-PM 73.73 Resolution C-19713	2.4a.(2)	A	D
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Commissioner Zarian moved to postpone the decision on the Resolution of Necessity and bring the item back in December. Commissioner Chalker seconded the motion, which carried 5-1. Commissioner Lindsey voted no. (Commissioners Bergeson was absent.)

-- Loyd J. Hopper, et ux. 09-Iny-395-PM 73.76 Resolution C-19714	2.4a.(2)	A	D
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Lloyd Hopper addressed the Commission on behalf of his property. He is opposed to the destruction of trees. He asked the Commission to preserve their rural setting. He provided a handout as well as 90 letters of support from the residents of the community of Independence.

Commissioner Zarian moved to postpone the decision on the Resolution of Necessity and bring the item back in December. Commissioner Chalker seconded the motion, which carried 5-1. Commissioner Lindsey voted no. (Commissioners Bergeson was absent.)

Tab # / Time	Item Description	Ref. #	Presenter	Status*
	-- John K. Smith, et ux. 09-Iny-395-PM 73.79 Resolution C-19715	2.4a.(2)		A D
	➤ Resolution C-19715 (John K. Smith, et ux., 09-Iny-395-PM 73.79, EA 2144U9) withdrawn prior to CTC meeting. Right of way contract signed.			
	-- Tamara A. Cohn, Trustee, et al. 09-Iny-395-PM 73.79 Resolution C-19716	2.4a.(2)		A D
	Commissioner Zarian moved to postpone the decision on the Resolution of Necessity and bring the item back in December. Commissioner Chalker seconded the motion, which carried 5-1. Commissioner Lindsey voted no. (Commissioners Bergeson was absent.)			
	-- Kenney L. Scruggs, et al. 09-Iny-395-PM 73.8 Resolution C-19717	2.4a.(2)		A D
	Commissioner Zarian moved to postpone the decision on the Resolution of Necessity and bring the item back in December. Commissioner Chalker seconded the motion, which carried 5-1. Commissioner Lindsey voted no. (Commissioners Bergeson was absent.)			
	-- The Heirs and Devisees of Patrick Reddy, et al. 09-Iny-395-PM 73.8 Resolution C-19718	2.4a.(2)		A D
	Mr. Boutros, Chief Delivery Officer, introduced the property and said that the Department has been unable to find the property owners and recommended approval of this Resolution of Necessity.			
	Kenny Scruggs asked the Commission to continue this resolution as she has filed for title in court.			
	Commissioner Zarian moved to postpone the decision on the Resolution of Necessity and bring the item back in December. Commissioner Chalker seconded the motion, which carried 5-1. Commissioner Lindsey voted no. (Commissioners Bergeson was absent.)			
8	Delivery Council Report	4.5		A C
	Andre Boutros, Chief Delivery Officer, provided the Commission an update of the Delivery Council. The Delivery Council has developed an implementation plan. Quarterly reports will be provided to the Commission.			
	<u>PROJECT BUSINESS MATTERS</u>	2.		
	<u>Proposition 116 – Rail Program Project Approvals/Amendments</u>	2.1f.		
9	Project Application Amendment to de-program a total of \$7,123,870 from various Department of Transportation projects. PUC Section 99622(a). Resolution PA-07-04, Amending Resolutions PA-05-09 and PA-07-03	2.1f.(1)		A C

Items 9, 10, 11 and 12 where all voted together as they were all connected.

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Juan Guzman, Assistant Deputy Director, introduced items 9 through 12 and recommended approval.

Commissioner Guardino moved to approve as recommended by staff. Commission Earp seconded the motion, which carried 5-0. (Commissioners Bergeson was absent.)

10	Project Application Approval to program a total of \$15,563,000 to the Department for the High Speed Rail project. PUC Sections 99622(a) and 99655. Resolution PA-07-05	2.1f.(2)		A C
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See item #9

Financial Allocations for State Proposition 116 Projects 2.6c.

11	Financial Allocation Amendment for One Proposition 116 Rail Program Project to De-Allocate \$140,000. Resolution BFA-07-01, Amending Resolution BFP-06-02	2.6c.(1)		A D
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See item #9

12	Financial Allocation of \$15,563,000 in Proposition 116 Rail Program funds for the High Speed Rail project. Resolution BFP-07-02	2.6c.(2)		A D
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See item #9

OTHER MATTERS / PUBLIC COMMENT 6.

Will Kempton, Caltrans Director, provided the Commission with an update on the fires in Southern California. Evacuations have gone very organized and they do not suspect transportation facilities will sustain significant damage.

ADJOURN

The meeting of the California Transportation Commission adjourned at 1:15 p.m.

JOHN F. BARNA, Jr., Executive Director

MINUTES
CALIFORNIA TRANSPORTATION COMMISSION
<http://www.catc.ca.gov>

NOVEMBER 7-8, 2007
La Quinta, California

Wednesday, November 7, 2007

2:00 p.m. Commission Meeting

La Quinta Library
78-275 Calle Tampico
La Quinta, California

GENERAL BUSINESS (#1 – 7)

1 Roll Call 1.1 **I C**

The meeting of the California Transportation Commission was called to order by Chair Ghielmetti at 2:00 p.m. on November 7, 2007, at La Quinta Library, 78-275 Calle Tampico, La Quinta California.

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

COMMISSIONER ALVARADO	<u>Present</u>
COMMISSIONER BERGESON	<u>Present</u>
COMMISSIONER CHALKER	<u>Present</u>
COMMISSIONER EARP	<u>Present</u> (arrived at 5:10 p.m.)
COMMISSIONER GUARDINO	<u>Present</u>
COMMISSIONER LINDSEY	<u>Present</u>
COMMISSIONER TAVAGLIONE	<u>Present</u>
COMMISSIONER ZARIAN	<u>Present</u>
CHAIR GHIELMETTI	<u>Present</u>

TOTAL	Present <u>9</u>
	Absent <u>0</u>

Members Present: Senator Alan S. Lowenthal, Ex-Officio
Assembly Member Pedro Nava, Ex-Officio

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2 Welcome by Riverside County Transportation Commission 1.11 I R

Terry Henderson, Chair of Riverside County Transportation Commission (RCTC), welcomed the Commission to Riverside County, Coachella Valley and the City of La Quinta. Ms. Henderson gave a special acknowledgement to Eric Haley, who retired as the Executive Director for RCTC. She also gave a special thanks to Commissioner Tavaglione.

3 Transportation Needs in Riverside County 1.12 I R

Anne Mayer, Executive Director of RCTC, welcomed the Commission to Riverside County. Ms. Mayer presented a video on Riverside County transportation systems and its needs. RCTC has adopted a three-year development plan and their Commission unanimously approved a toll revenue bond, which is critical for RCTC. They are in discussion on the issue of hot lanes and continue to pursue grade separation strategies. RCTC has identified a need of \$350 million to address their transportation needs.

4 Approval of Minutes for September 19-20, 2007 1.2 A C

Commissioner Lindsey moved to approve the September 5, 2007 minutes. Commissioner Alvarado seconded the motion, which carried 8-0. (Commissioner Earp was absent)

Commissioner Zarian moved to approve the September 19-20, 2007 minutes. Commissioner Chalker seconded the motion, which carried 8-0. (Commissioner Earp was absent)

5 Commission Reports 1.4 A C

There were no Commission reports presented.

6 Commissioners' Meetings for Compensation 1.5 A C

Commissioner Zarian moved to approve Commissioners' Meetings for Compensation. Commissioner Tavaglione seconded the motion, which carried 8-0. (Commission Earp was absent)

7 Executive Director's Report 1.3 A C

John Barna, Executive Director, thanked staff for all their hard work over the last month. CTC staff has been working in temporary quarters and have been able to keep up with the great number of meetings.

BUSINESS. TRANSPORTATION & HOUSING AGENCY REPORT (#8)

8 Report by Agency Secretary and/or Deputy Secretary 1.6 I B

This item was heard after item #22.

Dale Bonner, Secretary for Business, Transportation & Housing Agency (BTH), thanked the CTC staff for their hard work. Mr. Bonner highlighted the following points:

- Timeline – Mr. Bonner said that he is hopeful that the Commission is in a position to adopt the Trade Corridors Improvement Fund (TCIF) guidelines and asked the Commission to set a schedule and make every effort to stick to it.
- Criteria – Air quality continues to be an issue. The guidelines have air quality listed as screening and evaluation criteria. Mr. Bonner is concerned that each region may have a different way of measuring air quality and modeling, and that the screening criteria could eliminate some rail projects.
- Regional Targets – Mr. Bonner indicated the he would like to make sure statewide priorities are addressed.

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POLICY MATTERS (#9 – 14)

9	Presentation of Proposition 1B Trade Corridors Improvement Fund Guidelines and Timeline	4.2		A C
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Andre Boutros, Chief Delivery Officer, presented the TCIF Guidelines and Timeline. Mr. Boutros informed the Commission that the guidelines were shared with the RTPAs at a meeting held on November 1, 2007. There was consensus on grouping and screening. There was no consensus on geographic balance, match funds, timeline, and evaluation criteria weighting. Commission staff recommended deferral of adoption of the guidelines.

Senator Lowenthal thanked Secretary Bonner and commented that the draft guidelines represent many unresolved issues. He is concerned with the timeline and the direction to CTC to adopt a program in such a short timeframe. He stated that it is not necessary to adopt a program for a budget appropriation. He concurred with the direction the CTC is going, a less compressed timeline allows agencies to provide complete and concise nominations.

Assembly Member Nava read a letter from Speaker Fabian Nuñez addressed to Chair Ghielmetti. Mr. Nava supported Senator Lowenthal’s comments, additional time is necessary due to the complexity of the program. Mr. Nava concluded by stating that it is imperative to allow regions to negotiate targets. It is important to do it quickly, but more important to do it right.

The concerns the Commissioners raised where in regards to evaluation criteria weighting, leveraging more funding, acceptable match, air quality as a screening criteria, economic benefit and the exclusion of airports.

Secretary Bonner agreed with the concerns raised and emphasized that flexibility is the key. He clarified that it is not BTH’s timeline but the Commission’s timeline.

Speakers:

Debbie Hale, Executive Director Transportation Agency for Monterey County, spoke on behalf of the 101 Corridor (Bay Area Corridor) in Monterey.

Henry Hogo, SCAQMD, addressed the Commission in support of having air quality as screening criteria.

Kathryn Phillips, Environmental Defense, addressed the Commission on behalf of Environmental Defense, NRDC, Sierra Club and Coalition for Clean Air. Ms. Phillips requested more time for review of the guidelines, and stated that most agencies allow 30 or more days for comment. The Proposition 1B Bond was sold to the voters based on air quality, it should be part of the criteria.

Carolyn Clevenger, MTC, addressed the Commission on behalf of the Bay Area and the Central Valley. They have developed a list of rail and highway projects.

Steve Gregory, Port of Oakland, stated support of MTC’s plan and urged the Commission to adopt an interregional approach.

Mike Evanhoe, representing Santa Clara and San Benito Counties, urged the Commission to consider the next generation of projects.

George Logan, City of Patterson, urged the Commission to consider not increasing the negative impacts on communities.

Dana Cowell, San Joaquin County Council of Governments, addressed the Commission on behalf of the 23 San Joaquin county regions. Mr. Cowell requested modification in the guideline language to allow Right of Way to be funded with TCIF funds.

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Roger Snoble, Chief Executive Officer of LA Metro, spoke on behalf of the five counties in the Southern California corridor. They have been working together for the last two years and have identified an action plan. They need \$40 billion to solve their transportation problems. He indicated that they are willing to work with the Commission on the timeframe.

Gary Gallegos, Executive Director of SANDAG, addressed the Commission and indicated that they must see California as the bigger piece that affects everyone not just a specific area. He stated that we have the opportunity to work on a united front and go after Federal funds.

Executive Director Barna summarized the discussion as follow: Postpone adoption of the guidelines, clarify whether air quality be a screening tool or an evaluation tool, perspectives on match, and evaluation criteria weighting.

Commissioner Chalker moved to support staff recommendation and to hold a special meeting on guidelines. Commissioner Guardino seconded the motion. Commissioners Chalker and Guardino withdrew the motion.

Commissioner Alvarado made a motion to bring the item back in December. Commissioner Guardino seconded the motion. Commissioners Alvarado and Guardino withdrew the motion.

Commissioner Guardino moved to have a special meeting the week of November 26, 2007. Commissioner Earp seconded the motion, which carried 9-0.

10	Presentation of Draft Proposition 1B Local Bridge Seismic Retrofit Guidelines	4.3		I	D
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Item withdrawn prior to CTC meeting.

11	Presentation of Draft RTP Guidelines Climate Change Recommendations	4.5		I	C
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This item was heard after item #7

Annette Gilbertson, Associate Deputy Director, presented the Commission with the Draft RTP Guidelines Climate Change Recommendations. Ms. Gilbertson thanked the RTP work group members for playing a key role in the development of the revisions to the guidelines.

Susan Bransen, Associate Deputy Director, answered questions raised by Commissioner Lindsey in regards to the Smart Growth/Land Use guidelines revisions.

12	Approval of CMIA and Hwy 99 Accountability Implementation Plan	4.10		A	C
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Andre Boutros, Chief Delivery Officer, introduced the CMIA and Hwy 99 Accountability Implementation Plan. Mr. Boutros explained the Commission's role with respect to oversight and reporting. The Commission will be presented with quarterly reports providing updates on the programs.

Commissioner Bergeson moved to approve the Accountability Implementation Plan. Commissioner Chalker seconded the motion, which carried 8-0. (Commissioner Earp was absent)

13	Delivery Council Draft Charter	4.11		I	C
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Andre Boutros, Chief Delivery Officer, explained the Delivery Council's roles and responsibilities. The Council is an advisory body to Commission.

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14	Amendment of STIP Guidelines to Incorporate Changes Made by SB 184	4.13		A C
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David Brewer, Chief Deputy Director, presented the Amendment of STIP Guidelines to incorporate changes made by SB 184.

Commissioner Bergeson moved to approve the Amendment of STIP Guidelines. Commissioner Lindsey seconded the motion, which carried 8-0. (Commissioner Earp was absent)

15	SB 1210 Impacts to Project Delivery	3.5		I D
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This item was heard after item #56 on November 8, 2007.

Bimla Rhinehart, Chief for the Division of Right of Way and Land Surveys, gave a PowerPoint presentation on the process of Resolutions of Necessity and the impacts SB 1210 will have on project delivery.

16	2007 Real Property Retention Review Report	3.6		I D
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This item was heard after item #14

Robert Chung, Deputy Director, introduced this item. Bimla Rhinehart, Chief for the Division of Right of Way and Land Surveys, presented the 2007 Real Property Retention Review Report.

CALTRANS REPORT (#17)

17	Report by Caltrans' Director and/or Deputy Director - I-5 (Los Angeles County) Tunnel Repair Update	1.7		I D
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This item was heard after the Consent Calendar

Will Kempton, Caltrans Director, announced the appointment of Bob Pieplow as Chief of Engineering Services. Mr. Kempton provided a PowerPoint presentation on the I-5 tunnel repair. He thanked all of the Caltrans employees and the CHP for their efforts in getting the roadway reopened within 52 hours of the incident. Mr. Kempton gave an update on the Southern California fires. Mr. Kempton also announced that the Department received the 2007 US Environmental Protection Agency Clean Water Act Stormwater Management Award for its exceptional leadership, commitment and expertise in the field of stormwater quality management. Mr. Kempton provided an update on the Disparity Study and industry capacity expansion effort.

ADJOURN

Commissioner Chalker moved to adjourn the meeting. Commissioner Lindsey seconded the motion, which carried 9-0.

The meeting of the California Transportation Commission was adjourned at 5:32 p.m.

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Thursday, November 8, 2007

9:00 a.m. Commission Meeting

La Quinta Library
78-275 Calle Tampico
La Quinta, California

GENERAL BUSINESS

Roll Call 1.1 I C

The meeting of the California Transportation Commission was called to order by Chair Ghielmetti at 9:00 a.m. on November 8, 2007, at La Quinta Library, 78-275 Calle Tampico, La Quinta California.

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

COMMISSIONER ALVARADO	<u>Present</u>
COMMISSIONER BERGESON	<u>Present</u>
COMMISSIONER CHALKER	<u>Present</u>
COMMISSIONER EARP	<u>Present</u>
COMMISSIONER GUARDINO	<u>Present</u>
COMMISSIONER LINDSEY	<u>Present</u>
COMMISSIONER TAVAGLIONE	<u>Present</u>
COMMISSIONER ZARIAN	<u>Present</u>
CHAIR GHIELMETTI	<u>Present</u>
TOTAL	Present <u>9</u> Absent <u>0</u>

Member Absent: Senator Alan S. Lowenthal, Ex-Officio
Member Present: Assembly member Pedro Nava, Ex-Officio

POLICY MATTERS (#18 – 19)

18 Adoption of Proposition 1B Trade Corridors Improvement Fund Guidelines and Timeline 4.2 A C

John Barna, Executive Director, requested that the Commission choose a day during the last week of November when the Commissioners are available for the special meeting. The Commissioners agreed on Tuesday, November 27, 2007 in Sacramento.

Andre Boutros, Chief Delivery Officer, requested direction on the following items:

- Corridor Approach
- Corridor Targets
- Air Quality as screening criteria
- Match (state money, new money vs old money)
- Evaluation Criteria Weighting

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Will Kempton, Caltrans Director, suggested that rather than wait until January, Department staff, Commission staff and regional partners should meet to develop a strategy before the December meeting. He stated that a significant amount of money could be lost if we wait until January. Mr. Kempton recommended deferral of all projects except for three projects as follows:

- 1) 2.5g(3a) – Route 101 from Cabrillo/Hot Springs Road to Milpitas Bridge in the City of Santa Barbara
- 2) 2.5g(3a) – Route 5 East Street to East Sacramento River Bridge and North of Route 5/44 Separation in Shasta County.
- 3) 2.6a(1) – San Luis Obispo Transit Bus purchase.

Speakers:

Alix Bockelman, MTC, supported staff’s recommendation assuming it will allow MTC to come back in December.

Shirley Medina, Regional Agencies Moderator, stated that the RTPAs are willing to meet with staff prior to the next Commission meeting to establish an allocation plan.

Peter Rei, Tuolumne County Transportation Council, addressed the Commission and stated his concerns of deferral of planning, programming and monitoring (PPM) funding.

Commissioner Lindsey moved to defer consideration of an allocation plan until the December meeting. Commissioner Tavaglione seconded the motion, which carried 9-0.

LOCAL REPORTS (#20 – 22)

20	Report by Regional Agencies Moderator	1.8	I	R
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This item was heard after item #17 on November 7, 2007.

Shirley Medina, Regional Agencies Moderator, provided an update on the RTPAs. Ms. Medina stated that she appreciated the opportunity to participate in the drafting of the TCIF guidelines. She further stated that the RTPAs support the allocation plan through January as recommended by Commission staff. Ms. Medina indicated that the RTPAs are very concerned with the impacts of SB 717.

21	Report by Rural Counties Task Force Chair	1.9	I	R
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This item was heard after item #20 on November 7, 2007.

Mike Woodman, Rural Counties Task Force Chair, provided an update on the Rural Counties Task Force. They have been actively participating in the RTP climate change guidelines effort. He stated that there are significant challenges for the rural areas due to the limited funding for transit.

Mr. Woodman indicated that the rural counties support the Commission staff reevaluating the allocation capacity after the budget is presented in January. He stated that the rural counties would continue to work with the Division of Mass Transportation to finalize the Proposition 1B Transit program.

22	Report by Self-Help Counties Coalition Chair	1.10	I	R
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This item was heard after item #21 on November 7, 2007.

Suzanne Smith, Self-Help Counties Moderator, provided an update on the Self-Help Counties Coalition. She thanked all who participated in Focus on the Future. She stated that the Self-Help Counties would like to request an extension to the TCIF program for 30-60 days.

<u>Tab # / Time</u>	<u>Item Description</u>	<u>Ref. #</u>	<u>Presenter</u>	<u>Status*</u>
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23	Status Report on the Implementation and Performance of Short-Term Mobility Projects	4.8		I D
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John Wolf from the Division of Traffic Operations presented the status report on the Implementation and Performance of Short-Term Mobility Projects.

PROGRAM STATUS (#24 – 26)

24	Monthly Report on Local Assistance STIP Projects Previously Voted but not Awarded	3.2		I D
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This item was moved and presented on the Information Calendar on November 7, 2007.

25	Monthly Report on Toll Bridge Program Oversight Committee Activity	3.1		I C
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This item was heard after item #19.

Stephen Maller, Deputy Director, provided the monthly status report. He also provided Information on his most recent trip to China.

26	Report on Investments to State Highway System by Outside Funding Sources	3.7		I D
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Stephen Maller, Deputy Director, introduced this item. Karla Sutliff, Division Chief for Project Management, provided a summary report on investments to the State highway system by outside funding sources for the previous year.

INFORMATION CALENDAR (#27 – 33)

Items #27 through #33 were heard after item #16 on Wednesday, November 7, 2007.

Stephen Maller, Deputy Director, presented the Information Calendar adding item #24. The Information Calendar was accepted as presented.

27	IC Informational Report on Emergency G-11 Allocations. Seven projects totaling \$7,500,000.	2.5f.(1)		I D
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This item was presented on the Information Calendar.

28	IC Informational Report on SHOPP Safety G-03-10 Allocations. Two projects totaling \$2,336,000.	2.5f.(3)		I D
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This item was presented on the Information Calendar.

29	IC Informational Report on Minor G-05-05 Allocations. Five projects totaling \$1,798,000.	2.5f.(4)		I D
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This item was presented on the Information Calendar.

Tab # / Time	Item Description	Ref. #	Presenter	Status*
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30 IC	Monthly Status of Construction Contract Award for State Highway Projects, per Resolution G-06-08	3.3a.		I D
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Changes to this item were listed on the Pink "Changes to CTC Agenda as follows:

Status of Construction Contract Award for State Highway Projects.

-- Correct book item information as follows: On Page 2 of 3, under "FY 2007-08 Allocations". Month/Year of allocations should be July ~~2006~~ **2007**, September ~~2006~~ **2007**.

This item was presented on the Information Calendar.

31 IC	Monthly Status of Construction Contract Award for Local Assistance STIP Projects, per FY 2005-06 Allocation Plan and Criteria and Resolution G-06-08	3.3b.		I D
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This item was presented on the Information Calendar.

32 IC	Monthly Status of Construction Contract Award for Traffic Congestion Relief Program Projects, per Resolution G-06-08	3.3c.		I D
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This item was presented on the Information Calendar.

33 IC	Monthly Report on Projects Amended into the SHOPP by Department Action	3.4		I D
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This item was presented on the Information Calendar.

CONSENT CALENDAR (#34 – 42)

Items #34 through #42 were heard after the Information Calendar on November 7, 2007.

Deputy Director Robert Chung recommended the Commission approve the Consent Calendar (Items #34 through 42) with the following changes and modifications: Add agenda item 49 to the Consent Calendar and changes to Item 37 and 38 as noted on the Pink "Changes to CTC Agenda" handout.

Commissioner Zarian moved to approve the Consent Calendar, as modified and recommended by staff. Commissioner Chalker seconded the motion which carried 8-0. (Commissioner Earp was absent)

34 CC	The Contra Costa Transportation Authority requests a TCRP Application Amendment to redistribute \$14,000,000 in TCRP funds from Construction to R/W, and update the project schedule and funding plan for TCRP Project #16.2 – Route 4; construct one or more phases of improvements to widen freeway to eight lanes from Railroad Avenue through Loveridge Road, including two high-occupancy vehicle lanes, and to six or more lanes from east of Loveridge Road through Hillcrest. <i>(Related Item under 2.6e.(1).)</i> Resolution TAA-07-35, Amending Resolution TAA-05-01.	2.1c.(1)		A D/C
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This item was approved on the Consent Calendar on November 7, 2007.

Tab # / Time	Item Description	Ref. #	Presenter	Status*
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35	CC	The San Diego Association of Governments and the Department request a TCRP Application Amendment to update the project schedule for TCRP Project #74.9 – Pacific Surfliner; Santa Margarita River Bridge and Double Track in San Diego County. (Related Items under 2.6e.(2) and 2.6a.(2).) Resolution TAA-07-36 Amending Resolution TA-06-01.	2.1c.(2)	A	D/C
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This item was approved on the Consent Calendar on November 7, 2007.

36	CC	New Public Road Connection to State Route 101 at 05-Mon-101 PM 92.5 (Sala Road) in the county of Monterey. Resolution S-735	2.3b.	A	D
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This item was approved on the Consent Calendar on November 7, 2007.

37	CC	41 Resolutions of Necessity	2.4b.	A	D
6	AYES	Resolutions C-19721 through C-19761			

Changes to this item were listed on the Pink “Changes to CTC Agenda as follows:

44 ~~40~~ Resolutions of Necessity. Resolutions C-19721 through ~~C-19761~~ **C-19742** and **C-19744** through C-19761.
Resolution C-19743 (Michael Bernardo, et ux., 04-Ala-580-PM 29.39, EA 234309) **withdrawn prior to CTC meeting.** Right of way contract signed.

This item was approved on the Consent Calendar on November 7, 2007.

38	CC	Director’s Deeds Items #1 through #48 Excess Lands - Return to State: \$16,495,335 Return to Others: \$0	2.4d.	A	D
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Director’s Deeds – Items #1 through #48.
 Return to State: ~~\$16,495,335~~ **\$16,692,335**
Item #23-07-LA-101-PM 10.1, Disposal Unit #DD 000080-01-01.
 -- Change “Convey to” entity. MTA withdrew their bid. The new entity represents to the highest bid received at a public auction.

This item was approved on the Consent Calendar on November 7, 2007.

39	CC	Financial Allocation for nine SHOPP projects totaling \$80,860,000, plus \$20,800,000 from other sources. Resolution FP-07-28	2.5b.(1)	A	D
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This item was approved on the Consent Calendar on November 7, 2007.

40	CC	Financial Allocation for seven projects amended into the SHOPP by departmental action totaling \$10,207,000, plus \$235,000 from other sources. Resolution FP-07-29	2.5b.(2)	A	D
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This item was approved on the Consent Calendar on November 7, 2007.

Tab # / Time	Item Description	Ref. #	Presenter	Status*
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41 CC	Financial Allocation for two SHOPP Projects totaling \$29,003,000 programmed in FY 2008-09. Resolution FP-07-30	2.5b.(4)		A D
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This item was approved on the Consent Calendar on November 7, 2007.

42 CC	Technical change to Resolution FP-07-17 and Resolution FP-07-26, originally approved September 20, 2007. A technical correction is needed to memorialize information provided verbally at the September 20, 2007 CTC meeting regarding the period for project completion of the Fifth Avenue Overhead Bridge project.	2.9		A D
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This item was approved on the Consent Calendar on November 7, 2007.

43	Approval of project for future consideration of funding: Route 5 in Los Angeles County – Reconstruct interchange at Carmenita Road in the cities of Norwalk and Santa Fe Springs (MND). Resolution E-07-22	2.2c.(2)		A C
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This item heard after #48.

Robert Chung, Deputy Director, presented this item and recommended approval for future consideration of funding.

Commissioner Lindsey recommended approval as presented by staff. Commissioner Tavaglione seconded the motion, which carried 9-0.

44	The Department requests a TCRP Application Amendment to redistribute \$37,250,000 in TCRP funds from Construction to R/W, and update the project schedule and funding plan for TCRP Project #43 – Route 5; Improve Carmenita Road Interchange in Norwalk in Los Angeles County. <i>(Related Items under 2.2c.(2) and 2.6e.(1).)</i> Resolution TAA-07-37 Amending Resolutions TA-00-01.	2.1c.(3)		A D/C
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Juan Guzman, Assistant Deputy Director, presented this item and recommended approval of the TCRP application amendment.

Commissioner Zarian moved to approve the amendment as recommended by staff. Commissioner Tavaglione seconded the motion, which carried 9-0.

45	Financial Allocation for three TCRP projects totaling \$84,850,000. <i>(Related Items under 2.1c.(1& 3).)</i> Resolution TFP-07-06	2.6e.(1)		A D/C
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Juan Guzman, Assistant Deputy Director, presented this item and recommended allocation for three TCRP projects.

Commissioner Alvarado moved to approve the allocation as recommended by staff. Commissioner Chalker seconded the motion, which carried 9-0.

Tab # / Time	Item Description	Ref. #	Presenter	Status*
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Program/Project Amendments/Approvals for Notice (#46 – 48)

46	STIP Amendment 06S-017 The Department proposes to amend the STIP to reprogram \$1,206,000 of RIP-Environmental (PA&ED) for the Route 118 Widening project (New Los Angeles Avenue to Tapo Canyon Road, PPNO 3002) in Ventura County to the Route 118 Widening Phase 2 project (Tapo Canyon Road to the Los Angeles County Line, PPNO 4006). Ventura County Transportation Commission concurs with this request.	2.1b.(1)		I D/C
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This item was heard after item #26.

David Brewer, Chief Deputy Director, provided information to the Commission on this item that will come back for action at the next Commission meeting.

47	STIP Amendment 06S-018 The San Francisco County Transportation Authority proposes to amend the STIP to move \$200,000 from PS&E into Construction, and to advance Construction currently programmed for \$1,535,000 in FY 2010-11 to FY 2008-09 (PPNO 9098A) for the Leland Avenue Streetscape Improvements project, and update the project funding plan. <i>(Related item under Reference 2.5c.(5).)</i>	2.1b.(2)		I D/C
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David Brewer, Chief Deputy Director, noted that there was no apparent reason why this proposed reprogramming could not wait for the 2008 STIP, and he recommended that, until the adoption of the 2008 STIP, the Commission take no action on this or any other proposed STIP amendment unless there is a clear need for earlier action.

48	STIP Amendment 06S-019 / Resolution TAA-07-34 The Department proposes to amend the STIP to exchange \$1,480,000 programmed for the Carlsbad Double Track project (PPNO 2073) in San Diego with TCRP funds, to be designated as Sub-project TCRP #74.10. The Department also proposes to de-program \$1,653,000 of TCRP funds from the completed TCRP Project #74.5 – Encinitas Passing Track.	2.1b.(3)		I D/C
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David Brewer, Chief Deputy Director, presented this item and recommended that this item be placed on the Consent Calendar for the December 2007 meeting.

Financial Allocations for STIP Projects (#49 – 56)

49	Financial Allocation for two STIP AB 3090 Reimbursement projects totaling \$3,733,000. Resolution FP-07-31	2.5c.(7)		A D
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This item was added and approved on the Consent Calendar on November 7, 2007.

Tab # / Time	Item Description	Ref. #	Presenter	Status*
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50	Financial Allocation Adjustment to De-Allocate \$365,000 from two local STIP projects per AB 608. Resolution FP-07-__	2.5c.(10)		A D
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Changes to this item were listed on the Pink "Changes to CTC Agenda as follows:

Withdrawn prior to CTC meeting.

51	Financial Allocation for two State-administered STIP projects on the State Highway System totaling \$4,652,000, plus \$57,000 from other sources. Resolution FP-07-__	2.5c.(1)		A D
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Changes to this item were listed on the Pink "Changes to CTC Agenda as follows:

Financial Allocation for 2 State STIP projects totaling \$4,652,000.
 -- Correct Agenda Vote List and Book Item Attachment, as follows:
 → Project #2 (Department, 12S-Ora-5, EA 0C6401, PPNO 12-2796). Programmed amount for Final Right of Way should be ~~\$40,000~~ **\$25,000**; Total Right of Way Adjustment should be ~~\$40,000~~ **\$25,000**; Contributions from other sources should be ~~\$57,000~~ **\$342,000**.

This item was deferred to the December 2007 meeting.

52	Financial Allocation for 15 locally-administered STIP projects off the State Highway System totaling \$4,683,000, plus \$22,953,000 from other sources. Resolution FP-07-__	2.5c.(3)		A D
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This item was deferred to the December 2007 meeting.

53	Financial Allocation for one State-administered STIP Transportation Enhancement project on the State Highway System for \$573,000. Resolution FP-07-__	2.5c.(4)		A D
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This item was heard after item #45.

Maura Twomey, Deputy Director, presented this item and recommended approval.

Commissioner Lindsey moved to approve as recommended by staff. Commissioner Zarian seconded the motion, which carried 9-0.

Commissioner Guardino withdrew his vote for this item at the end of the meeting.

54	Financial Allocation for three locally-administered STIP Transportation Enhancement projects off the State Highway System totaling \$123,000, plus \$13,000 from other sources. Resolution FP-07-__	2.5c.(6)		A D
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Maura Twomey, Deputy Director, presented this item and recommended approval.

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

Tab # / Time	Item Description	Ref. #	Presenter	Status*
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55	Financial Allocation for five locally-administered STIP Planning, Programming and Monitoring projects totaling \$950,000. Resolution FP-07-__	2.5c.(8)		A D
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Maura Twomey, Deputy Director, presented this item and recommended approval.

Commissioner Tavaglione moved to approve as recommended by staff. Commissioner Bergeson seconded the motion, which carried 9-0.

56	Financial Allocation for one locally-administered STIP Transportation Enhancement project off the State Highway System for \$273,000 programmed in FY 2008-09. Resolution FP-07-__	2.5c.(9)		A D
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This item was deferred to the December meeting.

57	Resolution of Necessity Discussion	4.4		A C
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This item was heard after item #15.

George Spanos, Commission Attorney, provided an overview of the role and responsibilities of the Commission in regard to Resolutions of Necessity when brought forward for action. He discussed the three main requirements that the Resolutions must meet: (1) public interest and necessity require the project, (2) the proposed project is planned or located in a manner that is most compatible with the greater public good and the least private injury, and (3) the property described in the resolution is necessary for the proposed project.

After a lengthy discussion, it was agreed that Mr. Spanos will attend the Commission meetings when Resolutions of Necessity with appearances are part of the agenda.

POLICY MATTERS (#58 – 61)

58	State and Federal Legislative Matters	4.1		A C
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Robert Chung, Deputy Director, presented an update of State and Federal Legislative Matters.

The “State and Legislative Matters” book item was distributed as a pink at the meeting.

Mr. Chung highlighted three bills that were recently passed: (1) AB 1672 – adds two members to the Commission; (2) SB 264 – permits Santa Clara to raise its transactions and use tax rate in 0.125% increments; and (3) SB 717 – impacts STIP funding by changing the formula for how the monies are parsed out from the Public Transportation Account.

59	Proposed FY 2008-09 Set-Aside for the Public Utilities Commission (PUC) Railroad Grade Crossing Protection Maintenance Program. Resolution G-07-__	4.9		A C
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Robert Chung, Deputy Director, presented this item and recommended approval of the proposed 2008-09 set-aside allocation of \$2 million for the Public Utilities Commission Railroad Grade Crossing Protection Maintenance Program.

Commission Chalker moved to approve as presented by staff. Commissioner Bergeson seconded the motion, which carried 7-0. (Commissioners Lindsey and Zarian were absent)

Tab # / Time	Item Description	Ref. #	Presenter	Status*
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60	Advice and Consent on Draft California State Rail Plan 2007-08 through 2017-18.	4.7		A D
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This item was deferred to the December 2007 meeting.

61	Approval of the Capital Improvement Plan Element of the California Aviation System Plan	4.6		A D
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Robert Chung, Deputy Director, presented this item and recommended approval of the Capital Improvement Plan Element of the California Aviation System Plan.

Commission Tavaglione moved to approve as presented by staff. Commissioner Chalker seconded the motion, which carried 7-0. (Commissioners Lindsey and Zarian were absent)

Environmental Matters – Notice of Preparation of an Environmental Impact Report (EIR) (#62)

62	Notice of Preparation of an Environmental Impact Report (EIR): State Route 94 in San Diego County - roadway improvements near Dulzura (NOP).	2.2a.(1)		A D
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Changes to this item were listed on the Pink “Changes to CTC Agenda as follows:

Notice of Preparation (NOP) of an EIR: Route 94 in San Diego County.
 -- A corrected memo was provided to the Commission. The project is part of the State Highway Operations and Protection Program (SHOPP), not STIP. Moreover, the project is on the long lead SHOPP and not yet funded for design, right-of-way and construction.

Robert Chung, Deputy Director, presented this item and recommended Caltrans and its partners identify alternatives that can be fully funded or phased, and to secure the funding sources needed to complete the alternative selected.

Commissioner Tavaglione moved to approve as presented and recommended by staff. Commissioner Chalker seconded the motion, which carried 7-0. (Commissioners Lindsey and Zarian were absent)

Environmental Matters – Comments on Documents in Circulation (Draft EIR) (#63 – 66)

63	Comments on Draft EIR: Route 156 in San Benito County – roadway improvements near Hollister.	2.2b.(1)		A D
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Items # 63 through #66 were heard together.

Robert Chung, Deputy Director, presented these items together and recommended Caltrans and its partners identify and secure the funding sources needed to complete the alternatives selected in each of the respective draft environmental impact reports.

Commission Tavaglione moved to approve as presented and recommended by staff. Commissioner Earp seconded the motion, which carried 7-0. (Commissioners Lindsey and Zarian were absent)

64	Comments on Draft EIR: Route 47 in Los Angeles County – replace existing bridge near Long Beach (Schuyler Heim Bridge).	2.2b.(2)		A D
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See item #63

Tab # / Time	Item Description	Ref. #	Presenter	Status*
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65	Comments on Draft EIR: Route 101 in Humboldt County – roadway improvements near Arcata.	2.2b.(3)		A D
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See item #63

66	Comments on Draft EIR: Route 29 in Lake County – roadway improvements near Kelseyville.	2.2b.(4)		A D
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See item #63

Environmental Matters – Future Consideration of Funding (#67)

67	Approval of project for future consideration of funding: Route 152 in Merced County – new bypass near Los Banos (EIR). <i>(Related Item under 2.3a.)</i> Resolution E-07-21	2.2c.(1)		A D
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Robert Chung, Deputy Director, presented this item and recommended approval for future consideration of funding for a new public road connection.

Commission Chalker moved to approve as presented and recommended by staff. Commissioner Tavaglione seconded the motion, which carried 7-0. (Commissioners Lindsey and Zarian were absent)

Highway Route Matters (#68)

68	One Route Adoption for a Freeway at 10-Mer-152 PM 16.0/24.8 in the county of Merced. <i>(Related item under 2.2c.(1).)</i> Resolution HRA-07-03	2.3a		A D
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Robert Chung, Deputy Director, presented this item and recommended approval of the new public road connection.

Commission Tavaglione moved to approve as presented and recommended by staff. Commissioner Alvarado seconded the motion, which carried 7-0. (Commissioners Lindsey and Zarian were absent)

Proposition 1B STIP Project Allocations (#69 – 70)

69	Financial Allocation for two State-administered STIP Projects on the State Highway System totaling \$118,893,000, plus \$792,000 from other sources. Resolution STIP1B-A-0708-___	2.5g.(3a)		A D
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Maura Twomey, Deputy Director, presented this item and recommended approval of the two allocation requests.

Commission Bergeson moved to approve as presented and recommended by staff. Commissioner Alvarado seconded the motion, which carried 7-0. (Commissioners Lindsey and Zarian were absent)

70	Financial Allocation for one locally-administered STIP Project on the State Highway System for \$10,962,000, plus \$59,604,000 from other sources. Resolution STIP1B-A-0708-___	2.5g.(3b)		A D
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This item was deferred to the December 2007 meeting.

Tab # / Time	Item Description	Ref. #	Presenter	Status*
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Proposition 1B State Highway Operation and Protection Program (SHOPP) Project Allocations (#71)

71	Financial Allocation for one SHOPP project for \$2,520,000. Resolution SHOP1B-A-0708-002	2.5g.(6)	Maura Twomey Rachel Falsetti	A D
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Maura Twomey, Deputy Director, presented this item and recommended approval of this financial allocation for one SHOPP project.

Commission Tavaglione moved to approve as presented and recommended by staff. Commissioner Bergeson seconded the motion, which carried 7-0. (Commissioners Lindsey and Zarian were absent)

Financial Allocations for STIP Projects (#72 – 74)

72	Financial Allocation for four local STIP rail/transit projects totaling \$29,710,000, plus \$735,740,809 from other sources. Resolution MFP-07-__	2.6a.(1)		A D
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Maura Twomey, Deputy Director, presented this item and recommended deferral of projects 1, 3 and 4 to the December 2007 meeting. Ms. Twomey recommended approval for project 2 for the City of San Luis Obispo.

Commission Bergeson moved to approve as presented and recommended by staff. Commissioner Tavaglione seconded the motion, which carried 7-0. (Commissioners Lindsey and Zarian were absent)

73	Financial Allocation for one local STIP transit project for \$800,000 programmed in FY 2009-10. Resolution MFP-07-__	2.6a.(3)		A D
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This item was deferred to the December 2007 meeting.

74	Financial Allocation for 13 State STIP rail projects totaling \$41,996,000, plus \$1,740,000 from other sources. Resolution MFP-07-__	2.6a.(2)		A D
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This item was deferred to the December 2007 meeting.

Financial Allocations/Amendments for Traffic Congestion Relief Program (TCRP) Projects (#75)

75	Financial Allocation for one TCRP project for \$23,007,000. (Related Items under 2.1c.(2).) Resolution TFP-07-__	2.6e.(2)		A D/C
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Juan Guzman, Assistant Deputy Director, presented this item and deferred recommendation to the Department. Rachel Falsetti, Acting Chief for the Division of Programming, recommended approval of this item.

Commission Chalker moved to approve as recommended by the Department. Commissioner Bergeson seconded the motion, which carried 7-0. (Commissioners Lindsey and Zarian were absent)

Tab # / Time	Item Description	Ref. #	Presenter	Status*
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Financial Allocations for Supplemental Funds (#76)

76	<p>Financial Allocation for supplemental funds for previously voted projects. Two SHOPP projects totaling \$856,000 to settle construction claims and close out contract. Resolution FA-07-04</p> <p>-- 04-Ala-24 – SHOPP project in Alameda County. Current allocation is \$4,551,000. This request for \$425,000 to settle construction claim and close out contract results in an increase of 9.3% over the current allocation.</p> <p>-- 07-LA-5 – SHOPP project in Los Angeles County. Current allocation is \$6,498,000. This request for \$431,000 to pay arbitration decision and close out contract results in an increase of 6.6% over the current allocation.</p>	2.5e.		A D
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Maura Twomey, Deputy Director, presented this item for two projects requesting supplemental funds and recommended approval.

Commission Bergeson moved to approve as presented and recommended by staff. Commissioner Chalker seconded the motion, which carried 7-0. (Commissioners Lindsey and Zarian were absent)

Time Extension Requests (#77 – 80)

77	<p>Request to extend the period of contract award for four locally-administered STIP projects totaling \$5,160,000, per Resolution G-06-08. Waiver-07-26</p>	2.8b.(1)		A D
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Maura Twomey, Deputy Director, presented items #77 through #80. Ms. Twomey described each project and recommend approval for the time extensions requested.

Commission Earp moved to approve as presented and recommended by staff. Commissioner Chalker seconded the motion, which carried 7-0. (Commissioners Lindsey and Zarian were absent)

78	<p>Request to extend the period of contract award for one STIP project on Route 118 in Ventura County for \$379,000, per Resolution G-06-08. Waiver-07-27</p>	2.8b.(2)		A D
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See item #77

79	<p>Request to extend the period of contract award for TCRP Project #128 – Airport Road in Shasta County, per Resolution G-06-08. Waiver-07-28</p>	2.8b.(3)		A D/C
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See item #77

80	<p>Request to extend the period of contract award for one locally-administered STIP project for the City of Tracy for \$7,317,000, per Resolution G-06-08. Waiver-07-29</p>	2.8b.(4)		A D
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See item #77

<u>Tab # / Time</u>	<u>Item Description</u>	<u>Ref. #</u>	<u>Presenter</u>	<u>Status*</u>
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OTHER MATTERS / PUBLIC COMMENT

6.

No other matters or public comment were heard.

ADJOURN

The meeting of the California Transportation Commission was adjourned at 1:40 p.m.

JOHN F. BARNA, Jr., Executive Director

MINUTES

CALIFORNIA TRANSPORTATION COMMISSION

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

**November 27, 2007
Sacramento, California**

Tuesday, November 27, 2007

**10:30 a.m. Secretary of State Office Building
Auditorium, First Floor
1500 11th Street
Sacramento, California**

GENERAL BUSINESS

1.

1 Roll Call 1.1 I C

The meeting of the California Transportation Commission was called to order by Chair Ghielmetti at 10.35 a.m. on November 27, 2007, at the Secretary of State Office Building, Auditorium, First Floor, 1500 11th Street, Sacramento, California.

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

COMMISSIONER ALVARADO	<u>Present</u>
COMMISSIONER BERGESON	<u>Present</u>
COMMISSIONER CHALKER	<u>Present</u>
COMMISSIONER EARP	<u>Present</u>
COMMISSIONER GUARDINO	<u>Present</u>
COMMISSIONER LINDSEY	<u>Present</u>
COMMISSIONER TAVAGLIONE	<u>Present</u>
COMMISSIONER ZARIAN	<u>Present</u>
CHAIR GHIELMETTI	<u>Present</u>

TOTAL	Present <u>9</u>
	Absent <u>0</u>

Members present: Assembly Member Pedro Nava, Ex-Officio
Senator Alan S. Lowenthal, Ex-Officio

Tab # / Time	Item Description	Ref. #	Presenter	Status*
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2 Allocation Plan 4.1 A D

John Barna, Executive Director, provided an overview of the discussions that took place at the November 7-8, 2007 meeting in regards to the allocation plan. Mr. Barna concurred with Director Kempton that a more thorough examination of concept strategies and ideas are necessary.

Will Kempton, Caltrans Director, thanked the regions for their cooperation to help deal with what will be a difficult task.

Cindy McKim, Caltrans Chief Financial Officer, provided a framework that is not ready for discussion. A meeting will be scheduled next week with Caltrans, CTC staff, and regional agencies to discuss the allocation plan. The Department will then be prepared to come forward with a consensus recommendation for a 2007-08 allocation plan.

Speakers:

Shirley Medina, RTPA Moderator, urged the Commission to not delay allocations. The regions are trying to reach a consensus realizing that there is a problem this fiscal year.

3 Adoption of TCIF Guidelines 4.2 A C

John Barna, Executive Director, briefly recapped the direction given to staff at the meeting in La Quinta on November 7-8, 2008.

Andre Boutros, Chief Delivery Officer, provided an overview of the most recent TCIF Guidelines released November 26, 2007. The guidelines addressed most of the comments received by the Commission and input from the regions.

Speakers:

Fabian Nunez, Speaker of the Assembly, spoke on his strong opposition of the staff recommendations. Mr. Nunez urged the Commission to delay the vote and consider the targets proposed in a letter he submitted to the Commission signed by over 35 representatives of the Los Angeles Area and Inland Empire. He stated that the recommendations proposed by staff are not fair and are not the intent of the voters when they voted for the Proposition 1B Bond.

Mike Feuer, Assembly Member for 42nd District, strongly supported the Speaker's recommendations. Mr. Feuer urged the Commission to reject the staff recommendations. He suggested the Commission do three things: be fair, perform a needs base analysis and base their decisions on the facts. Mr. Feuer underscored that the burden of trade is in these five counties as 85 percent of cargo goes through this corridor. Mr. Feuer concluded by stating that the needs of the region should dictate the guidelines.

Lou Correa, Senator representing the 34th District, addressed the Commission and requested justice and equity in the distribution of these funds. Any proposal less than 75 percent for these five counties, is not consistent with the intent of the Proposition 1B. He urged the Commission to consider the five counties and to program no less than 75 percent of real dollars today.

Van Tran, Assembly Member for 68th District, supported the Speaker's comments and urged the Commission to consider the recommendations the Speaker provided. He had the opportunity to tour the ports and saw first hand the needs. The ports receive 85 percent of container cargo. The two ports and the five counties coalition have joined together to ask that they receive the appropriate level based on their need. Any proposal that suggests less than 75 percent is inconsistent with the intent of the bond.

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Tonia Reyes, Council Member for the City of Long Beach, asked the Commission to consider using air quality as screening criteria for both regional and local communities. She stated that she lives in a community with many health problems due to the port, rails and highways. The TCIF should represent improvement of goods movement and the cleaning of air together.

Carolyn Cavecche, Mayor for the City of Orange and Chairperson for the Orange County Transportation Authority, addressed the Commission in support of the elected officials that just spoke to the Commission. Ms. Cavecche urged the Commission to see the most urgent need of the Los Angeles area and the Inland Empire, anything less than 75 percent of the real funds do not take into account what the voters voted for.

Jorin Benoit, Assembly Member for the 64th District, spoke on behalf of Riverside and urged the Commission to move quickly. Traffic is greatly impacted in the City of Riverside. The County of Riverside represents 85 percent of the goods movement. He stated that we are in a historic situation and need to look at the intent of the voters when voting for the bonds. He agreed with the Speaker, that the money should go where there is the larger need.

Bob Huff, Assembly Member for the 60th District, spoke on behalf of Riverside, Orange and San Bernardino Counties. Mr. Huff commented on the need for grade separations and the use of local match.

Terry Henderson, Chair of Riverside County Transportation Commission (RCTC), indicated that she appreciated all the effort in the last two weeks. Ms. Henderson told the Commission that she supports the efforts we have in front of us. Ms. Henderson defined fair as taking your share and deciding to share it. Some equity needs to be addressed in regards to container fees.

Ty Schuling, Director of Planning and Programming of San Bernardino Association of Governments (SANBAG), addressed the Commission stated that the concept of corridor plans is lacking in the guidelines. Mr. Schuling proposed a friendly amendment to the Guidelines on page 4 and 6.

Jerry Sanders, Mayor of San Diego, commented that San Diego received a fair share of TCIF. San Diego has the largest border crossing that benefit the whole state of California. He urged everyone to shake hands and indicated that San Diego is ready as a delegation to work together as a State.

Mary Sesson, Chair of San Diego Association of Governments (SANDAG), informed the Commission that TCIF funds would be put to good use as it will improve congestion in the San Diego-Mexican border, the state's number one trading partner. Ms. Sesson endorsed the allocation strategy.

Greg Cox, Supervisor for the County of San Diego, informed the Commission that they are working to build a third border and that there should be a balance between the larger and smaller ports.

Jim Madaffer, Council Member for the City of San Diego, stated that the system has broken pieces. There had been an 11 percent growth at the borders since 1984. TCIF will be a down payment. They are working on building a third border crossing and have developed plans to get user fees. The process CTC staff recommended is following the law, let us work collectively. He stated supported of staff recommendations.

Dan Wilkens, Vice Chair for the Port of San Diego, spoke on behalf of the Chair, Sylvia Rios. He stated that the Port supports the letter of the San Diego delegation and urged the Commission to vote on staff recommendations.

Jim Beall, Assembly Member for the 24th District, stated that on behalf of Northern California, he supports staff recommendations. Trade policy needs to be extended in all parts of the state. The \$3 billion approach is a great idea.

Therese McMillan, Deputy Executive Director of the Metropolitan Transportation Commission (MTC), spoke on behalf of MTC and the Northern California Coalition. She stated that the additional \$1 billion is a great idea for the future of California. She stated that they fully support staff recommendations.

Tony Fisher, President of Anrafi Associates, addressed the Commission saying that they are in support of the recommendations.

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Omar Benjamin, Executive Director of the Port of Oakland, indicated support of the staff recommendations as a member of the goods movement community.

Mike McKeever, Executive Director for the Sacramento Area Council of Governments (SACOG), addressed the Commission stating that the staff recommendations are a good set of numbers that meet the goals.

Dana Cowell, Deputy Director for the San Joaquin Council of Governments, addressed the Commission on behalf of the Central Valley agencies. Mr. Cowell indicated support of the Guidelines and that reaching to the \$3 billion sends a positive signal to the Federal government.

Tony Boren, Deputy Director for the Council of Fresno County of Governments, supported the Guidelines.

Michael Cunningham, Bay Area Council, spoke on behalf of the Bay Area and Central Valley Coalition. He stated that the Coalition supports staff's proposal.

Becky Campo, Mayor of Patterson, urged the Commission to pay close attention to the Guidelines in regards to mitigation and surrounding communities and not to accept land value as matching funds.

George Logan, City of Patterson, echoed Becky Campos' testimony in regards to mitigation and not to include land value as matching funds.

Robert Ham representing the Imperial Valley spoke on behalf of the "other corridors".

Debbie Hale, Executive Director of the Transportation Agency of Monterey County, spoke on behalf of the Monterey County delegation, and stated support of the Guidelines as proposed.

Juan Acosta, Director of Government Affairs for BNSF, commended the CTC's efforts. He stated that it is critical to look at it as private infrastructure. All private companies benefit from improvements.

Cynthia Marvin, California Air Resources Board, supported the reinstatement of air quality as screening criteria. Ms. Marvin emphasized that it is possible to protect air quality and keep projects on schedule.

Dale Bonner, Secretary for Business Transportation & Housing, addressed the air quality issue saying that the Administration's position on air quality being part of the criteria was not a problem as long as it was workable, and that the process is clearly identified.

Allan Lowenthal, Senator, addressed the Commission and indicated that he was glad to hear air quality is being reconsidered. Mr. Lowenthal also asked for the support of SB 974, which addresses container and user fees which are vital to the state's economy.

Kathryn Phillips, Environmental Defense, explained the difference between the \$1 billion in the bond for air quality and the \$2 billion for TCIF. The \$1 billion is to clean up the existing problem and the \$2 billion is to pay attention to projects as they are being built. Ms. Phillips urged the Commission to include local impact issues.

Adrian Martinez, Natural Resources Defense Council, urged the Commission to reinstate air quality as screening criteria.

Bill Magavern, Senior Representative of the Sierra Club California, urged the Commission to restore air quality as screening criteria.

Joel Ervice, Associate Director of Community Action to Fight Asthma, addressed the Commission by stated that the Guidelines do not provide a benefit to those that suffer from asthma.

Swati Prakash, Ditching Dirty Diesel Collaborative, urged the Commission to restore air quality to criteria.

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Lee Jones, West County Transportation Center, asked the Commission to place local air quality in the Guidelines.

Angelo Logan, East Yard Community for Environmental Justice, addressed the Commission on behalf of the local neighborhoods that have higher risks of cancers due to air quality. Mr. Logan urged the Commission to include air quality as criteria.

Melissa Kelly-Ortega, Merced/Mariposa County Asthma Coalition, addressed the Commission on behalf of the San Joaquin Valley. The San Joaquin Valley has the worse asthma diagnosis in the nation. Ms. Kelly-Ortega stated that pollution reduction needs to be placed in the TCIF Guidelines.

Doug Block, Port of Oakland Campaign Director, urged the Commission to include air quality as screening criteria.

Fabiola Lao, Policy Analyst for the Latino Issues Forum, urged the Commission to improve air quality and public health.

John Greitzer, Senior Transportation Planner of Contra Costa County, urged the Commission to give strong concern to air quality. The trade corridor process must require consultation with affected neighborhoods; cost estimates for mitigations must be included in the total cost estimates.

Frank Gallo, Ditching Dirty Diesel, indicated support of the comments on the local component and asked that air quality be included as screening criteria.

Wafaa Aborashed, Executive Director for the Healthy San Leandro Environmental Colb. & DDD, addressed the Commission on a health study that is impacting their neighborhoods. Ms. Aborashed urged the Commission to retract the removal of air quality as criteria.

Karen Pierce, President for the BVHP Community Advocates, informed the Commission that environmental justice is not interested in slowing process. Ms. Pierce asked for an open process by adding local air impacts.

Brian Beveridge, West Oakland Environmental Indicated Projects (WOEIP), addressed the Commission on his concerns that the public process by arbitrary action of administrative personnel was not followed.

Margaret Gordon, WOEIP, gave the Commission the following solutions to the problem of air quality: updating equipment, full disclosure of air pollution, and real reporting up front.

Rafael Aguilera of Green LA, representative for a coalition of 16 environmental groups, urged the Commission to include air quality as screening criteria.

Mike Evanhoe, representing the San Benito Council of Governments and the Santa Clara Transpiration Authority, concurred with staff recommendations. Mr. Evanhoe requested that preconstruction activities be eligible for TCIF funding.

The Commissioners discussed how air quality should be defined. Mr. Barna proposed to bring back the details on the methodology and how it will be applied at the December meeting.

Commissioner Guardino moved to amend the guidelines to include the November 5, 2007 Screening Criteria language. Commissioner Bergeson seconded the motion, which carried 9-0.

Commissioner Chalker moved to approve the guidelines as amended by prior motion. Commissioner Tavaglione seconded the motion.

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Assembly Member Nava addressed the Commission as an Ex-Officio of the Commission. Mr. Nava underscored the comments made by Speaker Nunez and the other elected officials that addressed the Commission.

Commissioner Alvarado commented that we have to look at the entire state and cannot just focus on the crumbs today and not say anything when looking at the rest of transportation money.

Commissioner Zarian expressed concerns with the additional \$500 million as recommended by staff and indicated that he would vote no because of it.

The motion to adopt the TCIF Guidelines were approved 8 -1. Commissioner Zarian voted no.

ADJOURN

The meeting of the California Transportation Commission adjourned at 2:50 p.m.

JOHN F. BARNA, Jr., Executive Director