

MINUTES

CALIFORNIA TRANSPORTATION COMMISSION

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

March 18, 2008
Los Angeles, California

Wednesday, March 18, 2008

1:00 p.m.

Commission Meeting
Los Angeles County Metropolitan Transportation Authority
Board Room
One Gateway Plaza
Los Angeles, California

GENERAL BUSINESS

1 Roll Call 1.1

The meeting of the California Transportation Commission was called to order by Commissioner Ghielmetti at 1:00 pm on March 18, 2008, at the Los Angeles County Metropolitan Transportation Authority, Board Room at One Gateway Plaza, Los Angeles, California.

Roll call was conducted and Commissioners were in attendance as follows:

VICE CHAIR ALVARADO	Absent
COMMISSIONER BERGESON	
CHAIR CHALKER	Absent
COMMISSIONER EARP	
COMMISSIONER FROMMER	Absent
COMMISSIONER GHIELMETTI	
COMMISSIONER GUARDINO	
COMMISSIONER LINDSEY	Absent
COMMISSIONER TAGAMI	
COMMISSIONER TAVAGLIONE	
COMMISSIONER ZARIAN	

TOTAL	Present <u>7</u>
	Absent <u>4</u>

Assembly Member Pedro Nava, Ex-Officio	Not Present
Senator Alan S. Lowenthal, Ex-Officio	Not Present

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2 Overview of 2008 STIP Development - CTC 4.3a David Brewer

Chief Deputy Director David Brewer presented the statutory requirements and general overview of the 2008 STIP process.

Mr. Brewer indicated that following the hearing, staff will develop STIP recommendations that conform to the Fund Estimate and that incorporate project proposals from the Regional Transportation Improvement Plans (RTIP) and the Interregional Transportation Improvement Program (ITIP) and direction received from the Commission. The 2008 STIP Staff Recommendations will be published by May 9, 2008.

3 Proposed 2008 Interregional Transportation Improvement Program (ITIP) - Caltrans 4.3b Rachel Falsetti

Rachel Falsetti, Acting Division Chief of Programming, gave an overview on the Department's ITIP and PowerPoint presentation.

4 Regional Transportation Improvement Programs 4.3c

NOTE: Chief Deputy Director David Brewer, Deputy Director Mitchell Weiss, and Assistant Deputy Director Juan Guzman alternated giving a brief overview of each County prior to their testimony.

The following individuals gave testimony for their County on proposed projects at the hearing:

Tulare – Tulare County Association of Governments (TCAG)
Ted Smalley, Executive Director, TCAG

Los Angeles – Los Angeles County Metropolitan Transportation Authority (Metro)
Roger Snoble, Chief Executive Officer, Metro

Inyo – Inyo County Local Transportation Commission (Inyo LTC)
Ron Chegwiddden, Executive Director, Inyo LTC

Santa Barbara – Santa Barbara County Association of Governments (SBCAG)
Jim Kemp, Executive Director, SBCAG

Ventura – Ventura County Transportation Commission (VCTC)
Darren Kettle, Executive Director, VCTC and Steven Sojka, Councilmember, City of Simi Valley

San Luis Obispo – San Luis Obispo Council of Governments (SLOCOG)
Ronald DeCarli, Executive Director, SLOCOG and John Shoals, Mayor and President of SLOCOG

Mono – Mono County Local Transportation Commission (Mono LTC)
Gerry LeFrancois, Executive Director, Mono LTC and Vikki Magee-Bauer, Chair, Mono Board of Supervisors

San Diego – San Diego County Association of Governments (SANDAG)
Garry Gallegos, Executive Director, SANDAG

Imperial – Imperial Valley Association of Governments (IVAG)
Bob Hamm, Executive Director, IVAG

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Orange – Orange County Transportation Authority (OCTA)
 Jennifer Bergener, Manager of Capital & Local Programs, OCTA

San Bernardino – San Bernardino Association of Governments (SANBAG)
 Ty Schuiling, Director of Planning and Program, SANBAG

Riverside – Riverside County Transportation Commission (RCTC)
 Anne Mayer, Executive Director, RCTC

Kern – Kern Council of Governments (KernCOG)
 Raul Rojas, Public Works Director, City of Bakersfield

5 OTHER MATTERS / PUBLIC COMMENT 6.

No comments were made.

ADJOURN

The meeting of the California Transportation Commission was adjourned at 2:30 pm.

JOHN F. BARNA, JR., Executive Director

MINUTES

CALIFORNIA TRANSPORTATION COMMISSION

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

APRIL 9-10, 2008
Sacramento, California

Wednesday, April 9, 2008

10:00 a.m.

Commission Meeting

Department of Water Resources
Auditorium, First Floor
1416 Ninth Street
Sacramento, California

GENERAL BUSINESS (#1 – 5)

1 Roll Call 1.1 John Chalker I C

The meeting of the California Transportation Commission was called to order by Chair Chalker at 10:00 am on April 9, 2008, at the Department of Water Resources, Auditorium, First Floor, 1416 Ninth Street, Sacramento, California.

Roll call was conducted and the following Commissioners were in attendance:

VICE CHAIR BOB ALVARADO	
COMMISSIONER MARIAN BERGESON	Absent (Arrived 10:15 a.m.)
CHAIR JOHN CHALKER	
COMMISSIONER JAMES EARP	
COMMISSIONER DARIO FROMMER	Absent (Arrived 10:15 a.m.)
COMMISSIONER JAMES GHIEMMETTI	
COMMISSIONER CARL GUARDINO	Absent (Arrived 10:15 a.m.)
COMMISSIONER R. KIRK LINDSEY	
COMMISSIONER PHILLIP H. TAGAMI	
COMMISSIONER JOSEPH TAVAGLIONE	Absent (Arrived 12:30 p.m.)
COMMISSIONER LARRY ZARIAN	

TOTAL

Present 11
Absent 0

Assembly Member Mark DeSaulnier, Ex-Officio
Senator Alan S. Lowenthal, Ex-Officio

Not Present
Not Present

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2	Approval of Minutes for March 12-13, 2008	1.2	John Chalker	A C
<p>Commissioner Ghielmetti moved to approve the March 12-13, 2008 minutes. Commissioner Zarian seconded the motion, which carried 7-0. (Commissioners Bergeson, Frommer, Guardino and Tavaglione were absent.)</p>				
3	Commission Reports	1.4	John Chalker	A C
<p>Commissioner Lindsey spoke on the Caltrans 18th Annual Worker’s Memorial held on April 8, 2008, and said it was well attended and a very nice event. Commissioners Zarian and Earp agreed with Commissioner Lindsey’s remarks.</p>				
4	Commissioners’ Meetings for Compensation	1.5	John Chalker	A C
<p>Commissioner Ghielmetti moved to approve the Meetings for Compensation for March 2008. Commissioner Alvarado seconded the motion, which carried 10-0. (Commissioner Tavaglione was absent.)</p>				
<p>Commissioner Tagami inquired if a Commissioner may forgo compensation due to the budget deficit for use on other Commission activities. Executive Director John Barna said he would have staff look into this request and report back.</p>				
5	Executive Director’s Report	1.3	John Barna	A C
<p>Executive Director John Barna acknowledged Commissioner Lindsey as transportation royalty in the Central Valley due to his work in the region.</p>				
<p>Executive Director Barna expressed a desire to develop an education program on programming for environmental stakeholders on the role and authority of the Commission, as well as its limitations and responsibilities.</p>				
<p>Executive Director Barna indicated that staff continues to work with environmental stakeholders on air quality issues. Prior to the Commission meetings, staff is meeting with an environmental discussion group to review concerns they may have with items on the agenda in regards to air quality.</p>				
<p>Chris Morfas, Sacramento Metropolitan Air Quality Management District and member of the environmental discussion group, said his agency looks forward to working closely with the Commission to address air quality issues.</p>				
<p><u>BUSINESS. TRANSPORTATION & HOUSING AGENCY REPORT (#6)</u></p>				
6	Report by Agency Secretary and/or Deputy Secretary	1.6	Dale Bonner	I B
<p>Dale Bonner, BTH Secretary, commented on the National Work Zone Awareness Safety Campaign.</p>				
<p>Secretary Bonner stated that the Commission staff TCIF recommendations reflect the State’s priorities well. He said more work needs to be done on the federal funding side and BTH will continue to push for more resources from private investments. Secretary Bonner commended Executive Director John Barna for addressing the concerns of environmental stakeholders and keeping progress and priorities in line.</p>				
<p>Secretary Bonner addressed the “rough spot” in discussions with the railroads regarding TCIF rail projects. He stated that BTH is still searching for common ground and further discussion is needed on specific issues. Secretary Bonner stated the rail projects are needed in the system and coincide with the priorities in the Goods Movement Action Plan (GMAP) but that these projects must clearly address public and private benefit. Secretary Bonner said that BTH supports the Commission staff TCIF recommendations and that the Commission should adopt the staff recommendations.</p>				
<p>Secretary Bonner stated once this part of the TCIF process was completed a review of the how the program fits into the State’s 25-year plan was needed.</p>				

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Commissioner Lindsey commented that the GMAP needed an alternative plan, or Plan B, to include domicile trucking companies as they are currently excluded in the GMAP; and not to just focus on ports and international trade. Secretary Bonner responded that air cargo along with trucking issues should be readdressed and updated periodically. The interest now is to keep moving forward with the committed projects.

Commissioner Earp asked if the railroads have a specific amount of time to come to an agreement and what options are available. Chair Chalker said the projects programmed would need a baseline agreement approved by the Commission by a specific date to remain in the program.

Executive Director Barna said if projects were removed from the program the money may not fit into another project and there may also be issues with geographic balance.

Commissioner Earp stressed the importance of not sending the message that the Commission would make a bad deal just to make a deal. Executive Director Barna agreed and stated staff would not recommend a "bad deal".

Secretary Bonner stated it was important to stay focused on what is currently on the table and wait to see what other concerns may materialize.

Commissioner Tagami thanked BTH and Caltrans on their efforts on the Work Zone Safety Program and suggested adjourning the meeting in memory of the three Caltrans workers recently killed.

Commissioner Tagami also stated the railroad discussions are a conundrum and is confident the BTH Secretary and the Commission's Executive Director will resolve the problems to allow the TCIF program to keep moving forward.

Chair Chalker adjourned the Commission meeting at 10:35 am in memoriam of John Knabenbauer (District 8), Matthew White (District 3), and Djuan Bush (District 4).

Chair Chalker reconvened the meeting of the California Transportation Commission at 10:37 am on April 9, 2008, at the Department of Water Resources, Auditorium, First Floor, 1416 Ninth Street, Sacramento, California.

Chair Chalker directed Commission staff to send a letter to the Caltrans maintenance workers' families who were killed in the line of duty informing them that the April 9, 2008 meeting was adjourned in their memory.

CALTRANS REPORT (#7)

7	Report by Caltrans' Director and/or Deputy Director	1.7	Will Kempton	I	D
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Director Will Kempton reported on the great turnout for the Caltrans 18th Annual Workers' Memorial held on April 8, 2008.

Director Kempton provided a Proposition 1B allocation status report and commended the Commission and Administration on the great progress in getting funds out the door. He reported that by the end of summer 2008 all the Proposition 1B funding within the Commission's purview should be programmed. He stated that in the 2008-09 budget year \$3.8 billion would be made in allocations.

Director Kempton reported that 117 nominations totaling \$198 million were submitted on March 28, 2008, for the Traffic Light Synchronization Program (TLSP). The project nominations are currently being reviewed and scored, and will be presented at the May Commission meeting.

Director Kempton reported that Proposition 1B intercity rail projects were ready once the Department of Finance (DOF) completed its audit.

Director Kempton reported that the Commission would receive a report from Bimla Rhinehart, Chief Division of Right of Way and Asset Management, regarding Proposition 98 and its significant fiscal impacts.

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Director Kempton stated that the Department sent a letter to Secretary Mary Peters, U.S. Department of Transportation (DOT), asking for an exemption for California on the new CMAQ matching requirement. He reported that the Department received a response on April 7, 2008 supporting California's position.

Director Kempton provided an update on the Transportation Finance Forum and the need to continue discussions on solving transportation funding problems. He stated the working group would meet again on April 23, 2008, to follow-up on discussions regarding enhanced accountability and additional funding resources.

Commissioner Zarian asked Secretary Bonner if the BTH had any comments regarding Proposition 98.

Secretary Bonner stated that BTH had no comments at this time.

Commissioner Lindsey thanked Director Kempton for clarifying the CMAQ match requirement.

Commissioner Lindsey asked if the intercity rail audit is just an audit or to see if more slots can be put into the system. Director Kempton stated the first phase of the audit was focused on ridership and ridership data. The second phase included the ability to project ridership and is currently under discussion with the DOF.

LOCAL REPORTS (#8 – 10)

8	Report by Regional Agencies Moderator	1.8	Shirley Medina	I	R
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Shirley Medina, Regional Agencies Moderator, stated the regions met that morning to discuss the TCIF staff recommendations. Ms. Medina thanked Commission staff for their work in the lengthy process and stressed the importance that the rules be applied to everyone equally.

Ms. Medina stated the regions acknowledged the problems with the CMIA/99 Quarterly Progress Report and that the problems would be addressed by the regions.

Ms. Medina stated that the regions are concerned about the status of the 2008 STIP.

Ms. Medina indicated the regions are supportive of the TCRP update.

Ms. Medina stressed the importance of the regions, Commission, BTH, Caltrans and Administration working together through the Transportation Finance Forum to reach productive results.

Ms. Medina thanked the Department for the quick response regarding the CMAQ match requirement.

9	Report by Rural Counties Task Force Chair	1.9	Mike Woodman	I	R
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Mike Woodman, Rural Counties Task Force Chair (RCTF), reported the STIP sub-group met on April 8, 2008, to address challenges in the funding process. Mr. Woodman also reported on Blueprint Planning and land use modeling tools.

10	Report by Self-Help Counties Coalition Moderator	1.10	Suzanne Smith	I	R
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Suzanne Smith, Self-Help Counties Coalition Moderator, said the Coalition met on April 8, 2008 and accountability was the main theme of the meeting. Ms. Smith reported that the discussion focused on concerns of the growing unpredictability and inadequacy of STIP funding. The Coalition focused on micro and macro issues of the STIP. Ms. Smith stated a "flushing out" of the micro issues occurred at the Transportation Finance Forum meeting and would enable them to focus on the macro issues.

Ms. Smith indicated the Coalition held an opposed position to SB 375 unless the bill is amended to include new revenues in public-public partnerships, sales tax, or gas tax.

Ms. Smith stated the first meeting of the Executive Partnership for Project Delivery would be held on April 10, 2008 and will focus on project delivery issues and streamlining the delivery process.

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Commissioner Bergeson asked Ms. Smith if the downturn in the economy had affected the local sales tax revenues significantly. Ms. Smith stated the downturn has not affected her region, and would take the question back to the other regions in the Coalition to receive feedback.

11	<u>POLICY MATTERS (#11 – 12)</u> AB 1467 Hot Lanes Eligibility	4.8	Maura Twomey	A C
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This item was heard after item #16.

Deputy Director Maura Twomey presented the item and recommended approval. Ms. Twomey introduced Anne Mayer, Executive Director of Riverside County Transportation Commission (RCTC).

Ms. Mayer provided an overview of the proposed HOT lanes project and expanded on inter-operated segments using transponders not cash.

BTH Undersecretary Jim Bourgart stated it was a good proposal that provides a market based solution and uses capacity in the available lanes.

Ms. Mayer stated they have run models on fixed-rate tolls using congestion pricing. However, at least in the beginning, the HOT lanes will not have dynamic pricing.

Mr. Bourgart stated HOV’s continue to offer a free and beneficial option to the public and wished the RCTC well on the project.

Commissioner Guardino asked for clarification on the analysis of the project’s financial feasibility document.

Ms. Mayer introduced Kent Olsen, PB Consulting, Mr. Olsen provided an overview of the formula used in the assumptions. Commissioner Guardino asked about how realistic the assumptions were. Director Will Kempton said the projections were made on existing funding levels. Ms. Mayer stated that \$600 million was based on a historical level of funding.

Commissioner Guardino asked if the proposal included a design-build approach. Director Kempton responded that there may be the potential for design-build authority on individual projects. Ms. Mayer indicated they do not have design-build authority on the project section under discussion and will work with Caltrans to complete the project.

Commissioner Tavaglione moved to approve the staff recommendation and to find the application eligible for submission to the Legislature. Commissioner Bergeson seconded the motion.

Jack Boda, SANDAG, stated their support for RCTC’s HOT lanes application.

Debra Barmack, Executive Director SANBAG, stated they have worked with the RCTC and are in support of the HOT lanes application.

The motion carried 11-0.

12	TCRP Working Group Update	4.10	Juan Guzman Rachel Falsetti David Yale	I C/D/R
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This item was heard after item #10.

Assistant Deputy Director Juan Guzman introduced David Yale, Los Angeles County Metropolitan Transportation Authority (Metro), representing the TCRP work group. Mr. Yale presented the report in a PowerPoint presentation.

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Executive Director John Barna asked how much of “other funds committed” (as noted on page 5 of the hand-out) pertained to STIP funding. Rachel Falsetti, Acting Chief Division of Programming, reported that approximately \$700 million was STIP funding.

Commissioner Ghielmetti requested a breakdown of other funding sources shown on the chart for TCRP projects as “committed” and “proposed”.

Chair Chalker commended David Yale and the TCRP work group for their report. Chair Chalker asked what assumption was used for bond maturity on the tribal gaming bonds. Mr. Yale indicated the assumption was 15-years at 7%.

Commissioner Ghielmetti requested an analysis of the difference between bonding costs vs. delayed construction costs.

Commissioner Frommer asked where the Commission stood in the tribal gaming lawsuit and if GARVEE bonding was possible. Mr. Yale introduced Bob Naylor, Consultant for Metro, who stated the lawsuit was in the 3rd District Court of Appeals and a hearing would be held sometime this summer. A decision will be rendered 90 days after the hearing. Director Kempton indicated that GARVEE bonding is not possible as tribal gaming funds are state dollars.

Commissioner Guardino asked if the Commission members could be of assistance to the work group, and stated that with his and Commissioner Frommer’s legislative background, they could offer their time and resources in any way possible.

Commissioner Lindsey asked Mr. Yale about realistic expectations if the tribal gaming bonds did not materialize and if the work group had considered a secondary plan. Mr. Yale stated they were working on options that do not affect other funding programs and were attempting to spread out the anticipated TCRP funding needs over a 10-year period.

Executive Director Barna stated the work group was proposing cash flow strategies focusing on the projects and the funding source. The issues were not merely funding issues but project delivery issues and the bond programs may share the same problems as other programs.

Commissioner Bergeson asked if this tied into the Governor’s May revision of the budget. Executive Director Barna stated it was good the work group was talking now and it may be under consideration for the May budget revision.

13	<p><u>Financial Allocations for SHOPP Projects (#13)</u> Financial Allocation (2.5b.(2)): Two SHOPP Projects totaling \$143,000,000 programmed in FY 2007-08 to be funded by GARVEE Bond proceeds. Resolution FG-07-01</p>	2.5b.(2)	Mitchell Weiss Rachel Falsetti	A	D
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Deputy Director Mitchell Weiss presented the item and recommended approval. Mr. Weiss requested the State Treasurer put together a finance team. Mr. Weiss introduced Rachel Falsetti, Acting Chief Division of Programming.

Ms. Falsetti elaborated on Mr. Weiss’s presentation by stating the projects were part of the Governor’s economic stimulus plan.

Commissioner Lindsey asked why the two projects were set apart from the original eleven. Mr. Weiss stated that the federal government requires the GARVEE bond requests be project specific.

Norma Ortega, Chief Division of Budgets, stated a letter from finance proposed this kind of funding.

Barbara Lewis, Office Chief Division of Innovative Finance, gave an explanation of the bonding process.

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Commissioner Lindsey expressed his concern on what the Legislature may think regarding this kind of funding. Commissioner Lindsey questioned the Legislature’s approval through the Administration. Ms. Ortega stated authority was needed to service the debt. Director Kempton further clarified the action needed by the Legislature and the Administration.

Commissioner Tagami asked if issuing debt service for a twenty-year project was the best option. Director Kempton clarified a twelve-year pay back.

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

14	POLICY MATTERS (#14) TCIF Program Discussion	4.9	Andre Boutros	I C
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This item was heard after item #11.

Chief Delivery Officer Andre Boutros presented an overview of the item and noted minor changes to the recommendations that were presented at the March 2008 meeting. Mr. Boutros indicated that the original recommended funding amount, \$3.088 billion, stayed the same even with the minor changes.

Mr. Boutros outlined the discussion for the day and recommended the nominating agencies consider finishing the environmental phase of their projects early. Mr. Boutros recommended a Memorandum of Understanding (MOU), where needed, be attached to the baseline agreements for rail projects. He also suggested that the deadline for the mainline rail project baseline agreements be extended from July 2008 to September 2008.

Commissioner Zarian questioned if the agencies had been working with the local communities in trying to address their concerns. Executive Director John Barna explained that the Southern California Consensus Group was working closely with Southern California Air Quality Management District (SCAQMD), and that Commission staff held meetings and conference calls with the environmental groups and community leaders to inform them of the limitations of the Commission. He noted that most projects had not gone through the CEQA process and that the Commission meeting was not the venue for local land use or local air quality impact decisions.

Commissioner Frommer stated that Executive Director Barna explained the difficulties well and encouraged collaborative discussions with community groups. He also stressed concern whether or not the ports were having these meetings as well.

Commissioner Tagami noted the use of broad language in Section 2.19 of the proposed resolution and suggested the Commission closely review the language.

Commissioner Bergeson stated the Commission should be looking at moving from a formula-based to a performance-based equation.

Executive Director Barna reiterated the process for the recommendations and Mr. Boutros introduced the projects.

Projects #1 through 5 –Northern California Corridor Region

Commissioner Tagami recused himself from the discussion on projects #1-5 due to possible conflict of interest and left the meeting room.

Omar Benjamin, Executive Director for the Port of Oakland, spoke in support of the projects. He addressed air quality issues and the collaborative effort with stakeholders. Mr. Benjamin stated the Port has generated \$500 million working with truck management companies and are currently finalizing details with Ditching Dirty Diesel.

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Scott Peterson, Oakland Metropolitan Chamber of Commerce, spoke in support of the projects and stated the projects focus on the State's needs not just Oakland's needs.

Project #13 Northern California Corridor Region

Commissioner Ghielmetti recused himself of hearing discussion on the project due to possible conflict of interest and left the meeting room. Commissioner Tagami returned to the meeting room.

Commissioner Alvarado stated no issues had been resolved and questioned the lack of support for the project. Executive Director Barna stated not everyone dislikes the Crow's Landing project; however, an agreement with the railroad was required. He stated the Administration needs to participate in discussions subject to the September timeframe. He also noted staff recommended this project to respect the priorities presented by the Northern California Corridor Region.

Commissioner Tagami said he participated in the TCIF hearing on this project and would like confirmation from the Port of Oakland whether or not they are in support of this project. Mr. Benjamin stated the Port of Oakland is in support of the corridor projects in total.

Richard Robinson, CEO Stanislaus County, said this project has a multi-modal approach reaping an economic resource.

Commissioner Chalker questioned what was being purchased with the funds. Mr. Robinson stated they were working with PPC West Park and the money would go to purchase real assets to complete rail improvements and that Stanislaus County owns the property and are the lead in the project.

Projects #6 through 12, and 14 – Northern California Corridor Region

Commissioner Ghielmetti returned to the meeting room.

Commissioner Guardino questioned why Southern California was the only corridor region to develop a Tier II list of projects.

Carolyn Clevenger, Metropolitan Transportation Commission (MTC), stated they had developed a list that could be considered a second tier list or a back-up list, however there were no expectations for submission of such list.

John Ritchie, Paramount Agricultural Companies, spoke in support of the projects for Northern California.

Projects #15 through #66 – Southern California Corridor Region

John Fasana, Metro, spoke of concerns regarding having formal funding agreements in place by July 2008 and no construction allocations until the construction phase is to begin. He also expressed concern that the timeframe was a disadvantage to the public. Mr. Fasana stated support of deferral or extension of the deadlines.

Rick Richmond, ACE Construction Authority, stated the language in the guidelines may cause delay in negotiations with the railroads.

Mr. Boutros stated that the Commission's concern is deliverability and the ability to define appropriate scope for the projects.

Executive Director Barna stated all parties involved must be aware of investment support for the next five years.

Commissioner Guardino stated he had concerns over delays with the environmental processes.

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Discussion ensued regarding timing and delay of railroad negotiations.

Commissioner Tagami asked Mr. Fasana what an appropriate timeframe would be. Mr. Fasana did not specify any particular amount of time.

Art Leahy, Executive Director Orange County Transportation Authority, indicated spring 2010 as an appropriate deadline.

Mr. Boutros referred to the guidelines and legislative requirement that the committed funds for projects be identified. He stated if funds cannot be identified and committed the project does not meet the criteria for funding and staff would not recommend projects without adequate funding commitments.

Commissioner Zarian asked Mr. Fasana if the trouble was in matching funds. Mr. Fasana deferred to David Yale, Metro, who said they did not want to imply there were no matching funds in place because it was certified in the nominations.

Executive Director Barna reiterated the key points: 1) the project nominators will back stop the match, 2) have a Master Agreement on grade separations with a coordinated approach, and 3) environmental deliverability with the intent to re-examine delivery milestones to get to construction by 2013.

Commissioner Tagami stated he wanted to address and adopt language to move projects in one direction or another.

Commissioner Bergeson stated sequencing may be difficult and could either make the corridor whole or the system will not work.

Commissioner Lindsey stated the need to be consistent with all projects. He said it would not be fair to the other regions that came up with the match and all projects should be held to a deadline for completion of negotiations.

Anne Mayer, RCTC, stated it would be difficult to get her board to sign on in July, but would substitute the funding source if they had to wait on the railroad negotiations.

Mr. Leahy stated he agreed to move forward with the timeline. He also stated the negotiations are important because the rail projects will enhance capacity resulting in subsidiary benefits and have a severe local impact if they do not move forward.

Angelo Logan, East Yard Communities for Environmental Justice, spoke in regards to a letter submitted to the Commission on April 9, 2008. He stated environmental representatives are moving forward and looking to work together with stakeholders on the air quality process of the program.

Commissioner Lindsey asked Mr. Logan how local impacts would offset regional impacts. Mr. Logan stated the importance of addressing certain communities with localized reductions that would bring regional reductions.

Henry Hogo, SCAQMD, urged the Commission to move forward with the projects.

Scott Moore, Union Pacific Railroad, stated the railroad is in agreement that there needs to be more coordination with the regions. He also stated that mitigation measures, funding and sequencing need to be resolved.

Projects #66 through 76 – San Diego Border Corridor Region

There were no comments.

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Other – Project #79, Colton Crossing Flyover

Commissioner Lindsey asked if there was support for the Colton Crossing Flyover project. Ross Chittenden, Caltrans Proposition 1B Manager, stated there was much support for the Colton project; it is the timing, scope and funding that has been questioned.

BTH Undersecretary Jim Bourgart stated the Colton Crossing project was identified as a priority in the GMAP.

Mr. Henry Hogo, SCAQMD, requested that SCAQMD be given an opportunity to review the project from a local impacts standpoint.

Commissioner Bergeson asked if the region's perspective had changed on the project.

Debra Barmack, SANBAG, stated that SANBAG was not in opposition of the project as long as it was commensurate with public benefit.

Commissioner Lindsey asked Ms. Barmack to describe the public benefit.

Discussion ensued pertaining to benefit, timelines and significant congestion relief of the project.

Other – Not on Recommended Program List, Northern California Freight Corridor Restoration Project (Humboldt)

David Hull, Humboldt Bay Harbor Recreation and Conservation District, spoke of his disappointment that the Port of Humboldt Bay project was not recommended for funding.

Discussion ensued regarding the project's lack of funding match and the reason the project was not included in the Northern California Corridor Region's nomination process.

Other – Not on Recommended Program List, San Benito Route 156 Improvement Project (San Benito)

Pat Loe, San Benito County Supervisor, spoke of her disappointment that the project was not recommended for funding. Supervisor Loe asked the Commission to consider funding for the project and stated that \$28 million in STIP funding would be lost if the project was not supported.

Stephen Rosati provided a hand-out and requested the Commission to support the project in order to not lose STIP funding.

Lisa Rheinheimer, Executive Director San Benito Council of Governments, provided a hand-out and stated the project was ready to go to construction in 2011 and had regional consensus and support. She stated the project was a critical connection to the Bay Area and I-5 and they did not want to lose STIP funding.

Commissioner Lindsey asked why the project was not recommended and if it was competitive with the other projects. Mr. Boutros stated that Commission staff assumed the project was fully funded from the STIP and confirmed it was competitive with other projects.

Discussion ensued regarding the consequences of funding or not funding the project as it relates to the STIP.

Executive Director Barna asked for direction from the Commissioners on how to proceed.

Commissioner Lindsey asked if it was possible for well supported projects to be put on hold without funding being lost if other projects drop out.

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Commissioner Frommer stated that as time goes by projects may fall-out of program and the Commission can re-visit other projects for replacement opportunities.

Commissioner Bergeson asked if the regions had the authority to make the decision to substitute the projects that fall-out.

Chair Chalker and Commissioner Ghielmetti requested staff to develop a Tier II process for possible future programming of TCIF projects. Staff was requested to address a Tier II process in a systematic manner consistent with TCIF guidelines and to outline the process at the Commission's May meeting.

Commissioner Alvarado cautioned against sending the message of a change-list to the regions. Executive Director Barna said it would be like re-calibrating the available resources as done in other programs.

Commissioner Earp stressed the importance of the process.

Mr. Bourgart stated that the Northern, Southern and San Diego Corridor Regions all had some sort of Tier II project list that were not recognized and that they should be recognized to be considered in an official Tier II list.

Commissioner Chalker stated last minute changes to the recommendations was not in good form and said the language of the guidelines needed to be focused on.

Mr. Boutros recommended that the Commission change the dateline contained in the resolution for MOUs for rail projects from July 2008 to September 2008.

Commissioner Tagami stated Sections 2.12 and 2.16 of the resolution needed to be consistent in language. Discussion ensued regarding needed corrective language in the program resolution.

Sarah Siwek, Consultant to the Commission, proposed new language for Section 2.19 which the Commissioners agreed upon. Mr. Boutros indicated that he would present a revised resolution containing the changes to the Commission prior to adoption of the recommendations on April 10.

	<u>POLICY MATTERS (#15 – 16)</u>			
15	Public Private Partnership Panel Discussion	4.11	John Barna Panel Members	I C/R

Executive Director John Barna provided an overview of the purpose for the panel discussion and introduced Stan Taylor; Nossaman Guthner, Knox and Elliott.

Mr. Taylor introduced the panel members; Alistair Sawers with RBC Capital Markets, James Martling with Sperry Capital, Bernard Carroll with Macquarie Capital Advisors and Stephen Beatty with KPMG. The panel provided a PowerPoint presentation on the topic.

Commissioner Lindsey asked what it takes to get involved in the P3 process. The panel members stated risk allocations, environmental help, land acquisition and innovative design were the more important elements of the P3 idea.

Commissioner Bergeson asked what the limiting factors would be and how could southern California build upon the network they have begun.

Executive Director Barna asked the group how long it took for the legislative component to buy into the idea of P3s from their experience. He also asked if there was anything preventing the Commission from approaching the Legislature about the idea.

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The panel members stated in some circumstances it took a year or two for other states to adopt the idea, and that the international community was fairly quick to jump on board with the idea. They encouraged approaching local elected officials first, stating it would be wise to have the idea germinate with the local community, then work the idea up the ladder politically as the idea would gain better credibility. The panel members stated a top-down approach for P3s would not work.

Commissioner Lindsey asked if there was a preferable dollar size for a project to get P3 funding. The panel members stated there are multiple millions available in funding from small projects to very large projects, but when starting out it was best to start with less complicated projects and work toward bigger more complicated projects. The panel members stressed market risks are the primary concern for P3 projects.

Jack Boda, SANDAG, spoke in support in thinking outside the box with P3 ideas.

Will Gonzalez, Environmental Defense, spoke in support of P3 projects as long as the infrastructure process was cost effective and transparent.

The panel members stated it was better to work with one private partner not two or more. Commissioner Lindsey stated when working with one private entity and one public entity it limits the availability to change one's mind.

The Chair directed staff to follow the Performance Based Infrastructure (PBI) legislative bills.

Executive Director Barna suggested that staff come back at the May Commission meeting to discuss ideas on moving forward with P3s.

16	Clarification of Proposition 1B Highway-Railroad Crossing Safety Account Guidelines Resolution GS1B-G-0708-01	4.6	Robert Chung	A	C
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This item was heard after item #13.

Deputy Director Robert Chung presented the item and noted that the relative weight of the evaluation criteria regarding transportation benefits and local match were changed in the guidelines being presented as directed by the Commission. Mr. Chung recommended approval of the guidelines.

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

INFORMATION CALENDAR (#17 – 21)

Stephen Maller

Deputy Director Stephen Maller presented the Information Calendar.

David Maxwell, private citizen, spoke on Item #17 – Emergency G-11 Allocations. Mr. Maxwell noted Caltrans identified the Kern County Highway 58 project as an emergency and he questioned that claim. Mr. Maxwell thought the allocation of funds should have been approved by the Commission.

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17 IC	<p>Informational Reports on Allocations Under Delegated Authority (2.5f.) -- Emergency G-11 Allocations (2.5f.(1)): 25 Projects totaling \$16,645,000. -- Seismic Retrofit G-11 Allocations (2.5f.(2)): Two Projects totaling \$3,994,000. -- SHOPP Safety G-03-10 Allocations (2.5f.(3)): One Project for \$1,630,000. -- Minor G-05-05 Allocations (2.5f.(4)): 18 Projects totaling \$11,553,000.</p>	2.5f.	Rachel Falsetti	I D
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Change: Correct Agenda Vote List and Book Item Attachment. Project #3 Correct Postmiles L12.2 L2.2

This item was presented on the Information Calendar on April 9, 2008.

18 IC	Monthly Report on Projects Amended into the SHOPP by Department Action	3.2	Mitchell Weiss Rachel Falsetti	I D
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This item was presented on the Information Calendar on April 9, 2008.

19 IC	Monthly Status of Construction Contract Award for State Highway Projects, per Resolution G-06-08	3.3a.	Maura Twomey Rachel Falsetti	I D
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This item was presented on the Information Calendar on April 9, 2008.

20 IC	Monthly Status of Construction Contract Award for Local Assistance STIP Projects, per Resolution G-06-08	3.3b.	Maura Twomey Terry Abbott	I D
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This item was presented on the Information Calendar on April 9, 2008.

21 IC	Monthly Status of Construction Contract Award for TCRP Projects, per Resolution G-06-08	3.3c.	Juan Guzman Rachel Falsetti	I D/C
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This item was presented on the Information Calendar on April 9, 2008.

CONSENT CALENDAR (#22 – 30, 41)

Robert Chung

Deputy Director Robert Chung presented the Consent Calendar. He noted changes to the Consent Calendar as listed on the pink hand-out titled “Changes to CTC Agenda” and also stated that staff recommends Item #41 be added to the Consent Calendar.

Mr. Chung recommended approval with the noted changes.

Commissioner Bergeson moved to approve the Consent Calendar with the changes noted by staff. Commissioner Tavaglione seconded the motion.

Commissioner Guardino requested that Item #23 be removed from the Consent Calendar for discussion.

The motion carried 11-0.

Tab # / Time	Item Description	Ref. #	Presenter	Status*	
22 CC	The Department and the Los Angeles County Metropolitan Transportation Authority (LACMTA) propose to amend TCRP Project #40 – Route 10; add HOV lanes on San Bernardino Freeway over Kellogg Hill, near Pomona, Route 605 to Route 57 in Los Angeles County, to designate LACMTA as a co-applicant, and to also request a Letter of No Prejudice for \$61,851,000 for Construction. Resolution TL-07-01, Resolution TAA-07-52, Amending Resolution TAA-06-21	2.1a.(2)	Juan Guzman Rachel Falsetti	A	D/C
This item was approved on the Consent Calendar on April 9, 2008.					
23	Adoption of the FY 2007-08 Environmental Enhancement and Mitigation Program Resolution G-08-06	4.3	Juan Guzman	A	C
This item was heard after the Consent Calendar.					
Commissioner Guardino asked why remaining funds were not being used for projects on the stand-by list.					
Assistant Deputy Director Juan Guzman indicated that the remaining funds were for program administrative costs incurred by the Resources Agency.					
Commissioner Zarian moved to approve Item #23. Commissioner Frommer seconded the motion, which carried 11-0.					
24 CC	Relinquishment Resolutions -- 7-LA-164-PM 6.9/8.8 Route 164 in the city of Temple City Resolution R-3689 -- 11-SD-5-PM R30.6, 11-SD-805-PM 28.3 Routes 5 and 805 in the city of San Diego Resolution R-3690	2.3c.	Robert Chung Tim Craggs	A	D
This item was approved on the Consent Calendar on April 9, 2008.					
25 CC 8 Ayes	25 Resolutions of Necessity Resolutions C-19846 through C-19870	2.4b.	Stephen Maller Bimla Rhinehart	A	D
<i>Changes: 3 Resolutions of Necessity were removed prior to COMMISSION meeting – C-19866, C-19868, and C-19870.</i>					
This item was approved on the Consent Calendar on April 9, 2008.					
26 CC	Director's Deeds Items #1 through #12 Excess Lands - Return to State: \$2,881,415 Return to Others: \$0	2.4d.	Robert Chung Bimla Rhinehart	A	D
This item was approved on the Consent Calendar on April 9, 2008.					

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27	CC	Financial Allocation (2.5a.): One District Minor Project for \$943,000. Resolution FP-07-63	2.5a.	Mitchell Weiss Rachel Falsetti	A	D
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This item was approved on the Consent Calendar on April 9, 2008.

28	CC	Financial Allocation (2.5b.(1)): 16 SHOPP Projects totaling \$29,897,000, as follows: -- Five projects programmed in the 2006 SHOPP totaling \$18,381,000. -- 11 projects totaling \$11,516,000 amended into the SHOPP by departmental action. Resolution FP-07-64	2.5b.(1)	Mitchell Weiss Rachel Falsetti	A	D
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This item was approved on the Consent Calendar on April 9, 2008.

29	CC	Financial Allocations (2.5c.(3)): 17 Locally-administered STIP Projects off the State Highway System totaling \$6,513,000, as follows: -- Nine STIP projects totaling \$1,349,000, plus \$1,073,000 from other sources. -- Eight STIP Transportation Enhancement projects totaling \$5,164,000 plus \$6,049,000 from other sources. Resolution FP-07-66	2.5c.(3)	David Brewer Terry Abbott	A	D
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This item was approved on the Consent Calendar on April 9, 2008.

30	CC	Financial Allocation (2.5c.(5)): 23 Environmental Enhancement and Mitigation Projects totaling \$8,277,210, plus \$58,375,896 from other sources. Resolution FP-07-67	2.5c.(5)	Juan Guzman Terry Abbott	A	D
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This item was approved on the Consent Calendar on April 9, 2008.

The meeting of the California Transportation Commission adjourned at 6:00 pm.

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Thursday, April 10, 2008

9:00 a.m. Commission Meeting

Department of Water Resources
Auditorium, First Floor
1416 Ninth Street
Sacramento, California

GENERAL BUSINESS

Roll Call	1.1	John Chalker	I	C
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The meeting of the California Transportation Commission was called to order by Chair Chalker at 9:00 am on April 10, 2008, at the Department of Water Resources, Auditorium, First Floor, 1416 Ninth Street, Sacramento, California.

Roll call was conducted and the following Commissioners were in attendance:

- VICE CHAIR BOB ALVARADO
- COMMISSIONER MARIAN BERGESON Absent (Arrived 10:45 a.m.)
- CHAIR JOHN CHALKER
- COMMISSIONER JAMES EARP
- COMMISSIONER DARIO FROMMER Absent (Arrived 9:15 a.m.)
- COMMISSIONER JAMES GHIELMETTI
- COMMISSIONER CARL GUARDINO Absent (Arrived 9:05 a.m.)
- COMMISSIONER R. KIRK LINDSEY
- COMMISSIONER PHILLIP H. TAGAMI Absent
- COMMISSIONER JOSEPH TAVAGLIONE
- COMMISSIONER LARRY ZARIAN

TOTAL	Present	<u>10</u>
	Absent	<u>0</u>

Assembly Member Mark DeSaulnier, Ex-Officio	Not Present
Senator Alan S. Lowenthal, Ex-Officio	Not Present

POLICY MATTERS (#31 – 33)

31	Quarterly Progress Report for CMIA and SR 99 Projects	4.5	Andre Boutros	A	C
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This item was heard after item #15 on April 9, 2008.

Chief Delivery Officer Andre Boutros gave an overview of the item. Mr. Boutros stated the progress report would open the discussion with agencies in regards to scope, schedule and funding concerns. He also stated that for projects that have completed the environmental process the project scope could be further defined.

Commissioner Lindsey noted the critical point to the report was to get the data collected.

Mr. Boutros introduced Karla Sutliff, Chief Division of Project Management. Ms. Sutliff stated the data was hand collected and time consuming.

Commissioner Lindsey asked how the Commission could assist in collecting the data in a timely manner. Mr. Boutros stated the Commission needs to encourage stakeholders to turn in the data in a timely manner.

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Commissioner Lindsey stated he was not concerned with how many segments a project has, but that he wanted to know that the project would get done.

Executive Director Barna stated the record of accountability by tracking adjustments and progress give documentation and backup to decisions the Commission may need to make further down the road.

Mr. Boutros stated his team is attempting to maintain data on the scope of the projects.

Shirley Medina, Regional Agencies Moderator, said the regions were aware of the data that needs to be provided and the regions would meet the Commission's expectations.

Chair Chalker stated projects with multiple sources of funding need to be careful; that the movement of funds between phases would not be seen by him in a favorable view. He also stated that projects not reported in a timely manner would raise concerns.

Commissioner Ghielmetti motioned to approve the report as presented. Commissioner Alvarado seconded the motion, which passed 8-0. (Commissioners Bergeson, Frommer, and Tagami were absent.)

32	AB 1467 Hot Lanes Northern Hearing	4.12	Maura Twomey	I	C
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Deputy Director Maura Twomey presented the item. Chair Chalker opened the hearing and asked for comments.

No Comments were made.

Chair Chalker closed the AB 1467 Hot Lanes Northern Hearing.

33	Proposition 1B Local Bridge Seismic Retrofit Guidelines	4.4	Stephen Maller Terry Abbott	I	D
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Deputy Director Stephen Maller presented the item and noted that an extra \$33 million in state and federal funds were acquired. Mr. Maller gave an overview of SB 88 and the program guidelines. He then introduced Terry Abbott, Chief Division of Local Programs.

Commissioner Lindsey asked when a delay was significant. Mr. Maller stated that if federal funds were tied up and not available the schedule would need to be pushed back.

Commissioner Lindsey asked about the methodology of funding. Mr. Maller stated it was based on delivery dates.

Mr. Maller indicated that guidelines would be brought back in May for Commission approval.

34	POLICY MATTERS (#34) Adoption of the TCIF Program Resolution TCIF-P-0708-01	4.2	Andre Boutros	A	C
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Executive Director John Barna gave an overview of the process for action on the item.

Chief Delivery Officer Andre Boutros noted that Commissioner Ghielmetti would recuse himself from the discussion and the vote for Project #13. Commissioner Ghielmetti left the meeting room.

Mr. Boutros recommended approval of Project #13.

Mr. George G. Logan from the City of Patterson spoke in opposition of the project. Executive Director Barna explained the economic strategy the County of Stanislaus was using and noted the project was identified as a priority for the region.

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Commissioner Lindsey stated that the project opposition is a local issue and it was not the Commission's job to solve. He stated the Commission's job was to look at the grand scheme of economic development in the best interest of the State and that the project would potentially alleviate or initiate progress toward development.

Commissioner Guardino asked if this was the best use of the bond money.

BTH Undersecretary Jim Bourgart noted Commission staff had taken great consideration of the projects and the best needs of the State in the recommendations. Mr. Bourgart encouraged the private sector to bring in funding to supplement projects to fulfill the State's needs.

Commissioner Earp noted the region had stated its priorities and it was not the time to take them apart.

Commissioner Alvarado asked if the baseline agreement deadline was not met, would the project be dropped. Mr. Boutros stated that if the baseline agreement was not signed by the deadline, staff would bring the issue to the Commissioners to decide if the project is to be removed from the program.

Commissioner Frommer stated if issues were not solved by September then the Commission would need to seriously look at removing the project from the program.

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

Commissioner Ghielmetti returned to the meeting room following the vote.

Mr. Boutros recommended approval of the Northern California Corridor Region projects #1 through 12, and 14.

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

Mr. Boutros recommended approval of the Southern California Corridor Region projects #15 through 66.

Commissioner Zarian moved to approve the staff recommendation. Commissioner Alvarado seconded the motion, which carried 10-0. (Commissioner Tagami was absent.)

Mr. Boutros recommended approval of the San Diego Border Corridor Region projects #67 through 76.

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

Mr. Boutros recommended approval of the Brawley Bypass project #77.

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

Mr. Boutros recommended approval of the San Juan Road Interchange project #78.

Commissioner Guardino moved to approve the staff recommendation. Commissioner Ghielmetti seconded the staff recommendation, which carried 10-0. (Commissioner Tagami was absent.)

Mr. Boutros recommended approval of the Colton Crossing project #79.

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

Kathy A. Kivley spoke in during public comment on the Delano Railex project that was not recommended for the program. She asked the Commission to reconsider the decision not to program the project.

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Commissioner Lindsey said this project may be one to consider down the road.

Executive Director Barna noted that staff recognized the Commissioner's desire to develop a list of projects as back-up. He stressed the need to keep the program as an integrated whole and keep the integrity of the program by applying the same criteria to other potential projects.

Chair Chalker opened discussion on revisions to the resolution language for Sections 2.12, 2.13, 2.19 and 2.20. Mr. Boutros presented a hand-out containing the revised language as directed by the Commission on April 9, 2008.

Commissioner Guardino moved to approve the changes to the resolution as presented. Commissioner Ghielmetti seconded the motion, which carried 10-0. (Commissioner Tagami was absent.)

Executive Director Barna thanked Andre Boutros for all his work on the TCIF program.

Commissioner Lindsey congratulated Brawley on their persistence to finding funding for their project.

PROGRAM STATUS (#35 – 37)

35	Monthly Report on Toll Bridge Program Oversight Committee Activity	3.1	Stephen Maller Dina Noel	I	C
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Deputy Director Stephen Maller gave an overview of the item and introduced Dina Noel, Supervising Transportation Engineer.

Ms. Noel stated the barge was moving slowly due to bad storms, but should arrive in China on April 17, 2008.

Ms. Noel reported that the West Approach ribbon cutting ceremony was to be held April 11, 2008. Executive Director John Barna acknowledged the ceremony and planned attendance by Commissioners Alvarado, Ghielmetti and Tagami. He also stated it is the best work Caltrans has done in working with the community and traffic had been permanently shifted.

Director Kempton stated the Toll Bridge Program Oversight Committee (TBPOC) has worked effectively, has a good process in place and appreciates the collaborative efforts of all involved.

Executive Director Barna also noted that in 1996 Dennis Mulligan was worried that the West Approach would be the last piece in place and the hardest to plan. The West Approach is the first piece and has been the easiest to deliver thus far.

36	State and Federal Legislative Matters	4.1	Robert Chung	A	C
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This item was heard after item #37.

Deputy Director Robert Chung summarized the issues surrounding Proposition 98. He asked the Commission if it wished to take a position on Proposition 98.

Commissioner Guardino moved that the Commission take a position in opposition of Proposition 98. Commissioner Zarian seconded the motion.

Commissioner Lindsey questioned that since the Administration has not taken a position, was it wise for the Commission to do so. Commissioner Lindsey asked Deputy Undersecretary Jim Bourgart if the BTH would have a problem if the Commission opposed the proposition.

Deputy Undersecretary Bourgart reiterated that BTH has not taken a position and had no comment on the Commissioner's question.

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Chair Chalker called for the vote. The motion carried 10-0. (Commissioner Tagami was absent.)

Chair Chalker directed staff to forward a letter, under his signature, in opposition to Proposition 98 to the Legislature, transportation stakeholders and interested parties.

Commissioner Bergeson stated it was important to make a vigorous effort to get the correct information out to the public and suggested working with Chambers of Commerce around the State.

Mr. Chung continued with the remainder of the legislative report on various bills. He stated that the Commission should consider taking a position on AB 2650 by Assembly Member Wilmer Amina Carter that would continue the agreement with the federal government that permits federal NEPA delegation to Caltrans. He noted NEPA delegation to the State helped reduce delays in project delivery. He then discussed the status of SB 1118 by Senator Gloria Negrete McLeod, regarding airport land use commissions that the Commission supports.

Chair Chalker requested that staff keep track of all PBI bills and AB 2650, and to report back at the next Commission meeting.

Commissioner Bergeson asked if anyone was opposed SB 1118. Mr. Chung commented that the only opposition to the bill was by the City of Watsonville.

Commissioner Guardino requested that the legislative report provide and analysis of the bills and be included in the meeting book to allow for review prior to the Commission meetings; not as a pink to be presented at the meetings. Executive Director John Barna indicated that in the future the legislative report would be in the Commission meeting book.

Commissioner Guardino asked if the Proposition 1B State and Local Partnership program would be addressed. Executive Director Barna stated that the Legislature should take it up in the upcoming budget talks.

Director Kempton stated he recommends the Commission take a position on SB 2650.

Commissioner Alvarado moved to approve support of AB 2650 and that staff send a letter in support to the bill's author. Commissioner Ghielmetti seconded the motion, which carried 10-0. (Commissioner Tagami was absent.)

37	Proposition 98 Eminent Domain Impacts	4.7	Robert Chung Bimla Rhinehart	I	D
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This item was heard after item #35.

Deputy Director Robert Chung presented an overview of the item and introduced Bimla Rhinehart, Chief Division of Right of Way and Asset Management.

Ms. Rhinehart gave a PowerPoint presentation on the impacts of Proposition 98 . She stated the provisions in the proposition would delay project delivery and result in increased litigation and project costs.

Commissioners Earp and Zarian asked for digital copies of the PowerPoint presentation.

Commissioner Bergeson stated that severe impacts would occur if the proposition passed, and suggested getting clear and concise information out to the public.

Commissioner Zarian noted Proposition 98 was a dangerous initiative and asked if he could take an individual stand to get the message out to the public. Executive Director Barna answered that as an individual he could take a position, but as a Commissioner he could not go against the wishes of the Commission.

Commissioner Earp stated the bill was poorly written and lacked information on the broader impact than eminent domain. He said getting the message out to the public was critical if the proposition was to be defeated.

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Commissioner Guardino asked about a briefing on Proposition 99. Ms. Rhinehart explained that public agencies are exempt under Proposition 99 and would have no impact on the Department.

38	<p>Financial Allocations for Right of Way (#38) Adjustment of \$46,384,000 to FY 2007-08 Right of Way Lump Sum Allocation Resolution FM-07-05, Amending Resolutions FM-06-06 and FM-07-01</p>	2.5h.	Robert Chung Bimla Rhinehart	A D
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Deputy Director Robert Chung presented the item noting the adjustment was a reduction of an allocation previously approved by the Commission and recommended approval.

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

39	<p>Environmental Matters (#39 – 42) Notice of Preparation of an Environmental Impact Report (EIR): State Route 5 in Los Angeles County – Roadway improvements near Commerce (NOP).</p>	2.2a.	Susan Bransen Jay Norvell	A D
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Associate Deputy Director Susan Bransen presented the item and recommended that the Commission send a letter to the Department indicating that the Department and its partners should identify funding sources to fully fund the project.

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

40	<p>Comments on Draft EIR: State Route 11 in San Diego County – New roadway construction near the city of San Diego (DEIR).</p>	2.2b.	Susan Bransen Jay Norvell	A D
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Associate Deputy Director Susan Bransen presented the item and recommended that the Commission send a letter to the Department indicating that the Department and its partners should identify funding sources to fully fund the project.

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

41	<p>Approval of Project for Future Consideration of Funding: State Route 53 in Lake County – Roadway improvements near Clearlake (ND). Resolution E-08-02</p>	2.2c.(1)	Susan Bransen Jay Norvell	A D
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Associate Deputy Director Susan Bransen noted the item was moved to the Consent Calendar. The Consent Calendar was approved on April 9, 2008.

42	<p>Approval of Project for Future Consideration of Funding: State Route 80 in Sacramento County – Roadway improvements near the city of Sacramento (FEIR). Resolution E-08-03</p>	2.2c.(2)	Susan Bransen Jay Norvell	A D
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Associate Deputy Director Susan Bransen presented the item and recommended approval for future consideration of funding. Ms. Bransen also recommended that a letter be sent to the Department indicating that the Department and its partners should identify funding sources to fully fund the project.

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

43	<p><u>Program/Project Amendments/Approvals for Action (#43)</u> The Town of Yucca Valley proposes to amend TCRP Project #129 – Route 62; traffic and pedestrian safety and utility undergrounding project, to redistribute \$600,000 in TCRP funds from Construction to PA&ED and update the project schedule and funding plan. <i>(Related item under Tab 44)</i> 2.6e.) Resolution TAA-07-51, Amending Resolution TAA-06-49</p>	2.1a.(1)	Juan Guzman Rachel Falsetti	A	D/C
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Assistant Deputy Director Juan Guzman presented the item and recommended approval.

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

44	<p><u>Financial Allocations/Amendments for Traffic Congestion Relief Program (TCRP) Projects (#44)</u> Financial Allocation: One TCRP Project for \$600,000. <i>(Related item under Tab 43)</i> 2.1a.(1).) Resolution TFP-07-15</p>	2.6e.	Juan Guzman Rachel Falsetti	A	D/C
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Assistant Deputy Director Juan Guzman presented the item and recommended approval.

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

45	<p><u>Financial Allocations for STIP Projects (#45 – 46)</u> Financial Allocation (2.5c.(2)): One Locally-administered STIP Project on the State Highway System for \$2,604,000. <i>(Related item under Tab 51) 2.5g.(6).)</i> Resolution FP-07-65</p>	2.5c.(2)	David Brewer Rachel Falsetti	A	D
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Chief Deputy Director David Brewer presented the item and recommended approval.

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

46	<p>Financial Allocation (2.5c.(4)): One Locally-administered STIP Transportation Enhancement Project off the State Highway System for \$63,000 programmed in FY 2010-11. Resolution FP-07-__</p>	2.5c.(4)	David Brewer Terry Abbott	A	D
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Chief Deputy Director David Brewer presented the item and recommended deferral of action until the 2008 STIP adoption.

Commissioner Zarian moved to approve the staff recommendation for deferral. Commissioner Frommer seconded the motion, which carried 10-0. (Commissioner Tagami was absent.)

Tab # / Time	Item Description	Ref. #	Presenter	Status*
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47	<p>Proposition 1B STIP Project Allocations (#47 – 48) Financial Allocation (2.5g.(3a)): One State-administered STIP Project on the State Highway System totaling \$33,000,000, plus \$3,360,000 from other sources. Resolution STIP1B-A-0708-011</p>	2.5g.(3a)	David Brewer Rachel Falsetti	A D
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Chief Deputy Director David Brewer presented the item, noting the changes on the pink hand-out titled “Changes to CTC Agenda.” He also noted that Caltrans was proposing to defer reporting the final right-of-way estimate to be used for STIP share purposes until the Department attains a higher level of right-of-way certifications, which they proposed to do by December 2008. He recommended approval of the item with the expectation that Caltrans will return to report the final right-of-way estimate.

A discussion followed regarding certification of right-of-way projects; estimating right-of-way costs; and managing project right-of-way risks. .

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

48	<p>Financial Allocation (2.5g.(3b)): One multi-program State-administered STIP Project on the State Highway System for \$34,000,000. (Related item under Tab 51) 2.5g.(6.) Resolution STIP1B-A-0708-012</p>	2.5g.(3b)	David Brewer Rachel Falsetti	A D
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Chief Deputy Director David Brewer presented the item, noting that this allocation request would leave \$11.314 million in STIP funding programmed for the Alameda Sunol Grade project and would be redirected to a second construction contract, which Caltrans anticipates bringing to the Commission by June 2008. He recommended approval of the allocation with the understanding that the remaining \$11.314 million is subject to timely use of funds and that its availability for the second contract is subject to the Commission’s approval of a project allocation or extension by June 2008.

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

49	<p>Proposition 1B CMIA Project Allocations (#49) Financial Allocation (2.5g.(1a)): One State-administered CMIA Project on the State Highway System for \$125,000,000. Resolution CMIA-A-0708-010</p>	2.5g.(1)	David Brewer Rachel Falsetti	A D
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Chief Deputy Director David Brewer presented the item and recommended approval.

Commissioner Earp moved to approve the item. Commissioner Bergeson seconded the motion, which carried 8-0. (Commissioners Frommer, Ghielmetti and Tagami were absent.)

50	<p>Proposition 1B Intercity Rail Project Allocations under PTMISEA (#50) Financial Allocation (2.5g.(8)): Four Intercity Rail Projects totaling \$45,756,000, plus \$17,230,000 from other sources. Resolution ICR1B-A-0708-01</p>	2.5g.(8)	Robert Chung Bill Bronte	A D
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Deputy Director Robert Chung presented the item and recommended approval. He noted that the 2007 Budget Act contained language that required the DOF to work with Caltrans to perform a passenger rail audit, and a projection of ridership prior to funds being appropriated and made available for allocation. He noted that the Commission could make the allocation, but DOF delays could create a timely use of funds issue. Director Kempton stated that he was confident the audit and ridership issues would be resolved very quickly.

Tab # / Time	Item Description	Ref. #	Presenter	Status*	
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Commissioner Bergeson moved to approve the item. Commissioner Zarian seconded the motion, which carried 9-0. (Commissioners Ghielmetti and Tagami were absent.)

51	<p><u>Proposition 1B State Highway Operation and Protection Program (SHOPP) Project Allocations (#51)</u> Financial Allocation (2.5g.(6)): Three SHOPP projects totaling \$131,900,000. (Related item under Tab 48) 2.5g.(3b.) Resolution SHOP1B-A-0708-006</p>	2.5g.(6)	Mitchell Weiss Rachel Falsetti	A	D
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Deputy Director Mitchell Weiss presented the item and recommended approval.

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

Director Kempton noted that with the approval of the item a total of \$2.54 billion dollars of Proposition 1B funds were “out the door.” He stated this was a significant milestone for transportation in California, and that Governor Schwarzenegger compliments the Commission for their rapid action in allocating Proposition 1B funds. Director Kempton noted the funds create new jobs and help California’s economy.

52	<p><u>Financial Allocations for Supplemental Funds (#52)</u> Financial Allocation (2.5e.): Supplemental Funds for previously voted projects. Two SHOPP projects totaling \$2,325,000 to settle construction claims and close out contracts. Resolution FA-07-10 -- 02-But, Plu-70 – SHOPP project in Butte and Plumas Counties. Current allocation is \$25,040,000. This request for \$2,300,000 to settle construction claim and close out contract results in an increase of 9.2 percent over the current allocation. -- 07-LA-5 – SHOPP project in Los Angeles County. Current allocation is \$6,929,000. This request for \$25,000 to pay arbitration settlement ruling and close out contract results in an increase of 0.4 percent over the current allocation.</p>	2.5e.	Mitchell Weiss Rachel Falsetti	A	D
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Deputy Director Mitchell Weiss presented the item and recommended approval.

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

53	<p><u>Request to Extend the Period of Project Allocation (#53 – 54)</u> Request to Extend the Period of Project Allocation for One Locally-administered STIP Project for the City of Santa Maria for \$151,000, per STIP Guidelines. Waiver-08-10</p>	2.8a(1)	David Brewer Terry Abbott	A	D
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Chief Deputy Director David Brewer presented the item and recommended approval.

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

Tab # / Time	Item Description	Ref. #	Presenter	Status*
54	Request to Extend the Period of Project Allocation for One STIP Project in the city of Alameda, per STIP Guidelines. Waiver-08-11	2.8a.(2)	David Brewer Rachel Falsetti	A D

Chief Deputy Director David Brewer presented the item and recommended approval.

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

<u>Request to Extend the Period of Project Development Expenditure (#55)</u>				
55	Request to Extend the Period of Project Development Expenditure for Three Locally-administered STIP Projects totaling \$997,000, per STIP Guidelines. Waiver-08-13	2.8f.	David Brewer Terry Abbott	A D

Deputy Director Maura Twomey presented the item and recommended approval.

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

<u>Request to Extend the Period of Contract Award (#56)</u>				
56	Request to Extend the Period of Contract Award for One SHOPP Project for \$24,647.000, per Resolution G-06-08. Waiver-08-12	2.8b.	Maura Twomey Rachel Falsetti	A D

Deputy Director Maura Twomey presented the item and recommended approval.

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

OTHER MATTERS / PUBLIC COMMENT

No public comments were heard.

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

JOHN F. BARNA, JR., Executive Director

MINUTES

CALIFORNIA TRANSPORTATION COMMISSION

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

MAY 2, 2008
Oakland, California

Special Meeting

San Francisco-Oakland Bay Bridge Project

Friday, May 2, 2008

Department of Transportation
Bay Bridge Pier 7 Office
Mission Bay Conference Room #1906
325 Burma Road
Oakland, California

GENERAL BUSINESS (#1)

1 Roll Call John Chalker I C

The meeting of the California Transportation Commission was called to order by Chair John Chalker at 1:45 pm on May 2, 2008, at the Department of Transportation Bay Bridge Pier 7 Office, Mission Bay Conference Room #1906, 325 Burma Road, Oakland, California.

Roll call was conducted and the following Commissioners were in attendance:

VICE CHAIR ALVARADO	Absent
COMMISSIONER BERGESON	Absent
CHAIR CHALKER	
COMMISSIONER EARP	Absent
COMMISSIONER FROMMER	Absent
COMMISSIONER GHIelmetti	
COMMISSIONER GUARDINO	Absent (Arrived 2:00 pm)
COMMISSIONER LINDSEY	
COMMISSIONER TAGAMI	
COMMISSIONER TAVAGLIONE	
COMMISSIONER ZARIAN	
TOTAL	Present <u>7</u> Absent <u>4</u>

Assembly Member Mark DeSaulnier, Ex-Officio	Not Present
Senator Alan S. Lowenthal, Ex-Officio	Not Present

Tab # / Time	Item Description	Ref. #	Presenter	Status*
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2	<p><u>CALTRANS REPORT (#2 – 3)</u> Presentation on the San Francisco-Oakland Bay Bridge Project</p>		Bill Casey, Senior Bridge Engineer	I D
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Executive Director John Barna introduced the Toll Bridge Program Oversight Committee (TBPOC) members and the Program Management Team (PMT).

Caltrans Director Will Kempton provided a brief history of the San Francisco Oakland Bay Bridge (SFOBB) project and the challenges the project has faced. Mr. Kempton stated that with legislative support, the TBPOC and the PMT have made good progress on the SFOBB project. He stated the project is a good example of how to model project management for accountability purposes. He also stated that keeping on schedule was the biggest challenge.

Steve Heminger, Executive Director of the Bay Area Toll Authority (BATA), discussed BATA's banker role on the SFOBB project.

Tony Anziano, Caltrans' Toll Bridge Program Manager, thanked everyone present for attending the special meeting. He then provided an overview of the work in progress.

Chair Chalker asked for a better understanding and explanation of the detour sequence on Yerba Buena Island (YBI).

Deputy Director Stephen Maller gave a brief explanation. Executive Director Barna indicated that the TBPOC legislative update would provide a detailed explanation of the sequencing operation.

Commissioner Lindsey asked what the project's biggest challenge was. Director Kempton stated the erection of the Self-Anchored Suspension (SAS) Bridge was full of challenges. He stated one challenge is to use the appropriate amount of resources, so the resources are closely monitored; also that the team was in a seismic race for completion to beat the next earthquake.

Commissioner Lindsey and Mr. Heminger discussed leveraging toll money to fund the project. Mr. Heminger talked about paying the contractors incentive money to shave six months off of the project schedule.

Chair Chalker asked about American Bridge Fluor's (ABF) past record in raising an SAS bridge.

Director Kempton stated that ABF has not built an SAS before and this complex project was a new challenge for them.

Chair Chalker then asked how much bigger the SFOBB project was compared to other SAS projects.

Director Kempton stated this is the largest asymmetrical single cable stay type bridge ever built in a marine environment. He went on to state that ABF has not raised this type of bridge before, but with the exceptional talent of the contractors, planners, and management team they are up to the challenge.

Mr. Heminger stated the biggest challenge is the bridge fabrication process in China.

Executive Director Barna stated his confidence in ABF and all the teams involved in the project.

Commissioner Lindsey asked if there was a benefit to have Commissioners travel to China.

Director Kempton stated a Commissioners' visit would demonstrate the high level of importance the project has and, from a cultural perspective, is necessary and important to have Commissioners meet with our Chinese partners.

Tab # / Time	Item Description	Ref. #	Presenter	Status*
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Director Kempton also stated decisions made now will impact the bottom line; however, he is confident the project will finish within its AB 144 budget and contingency. He indicated that it was more important to stay on schedule than to husband the contingency at this point, and any increase in costs would be covered by the contingency.

Discussion ensued regarding the possibility of moving the project forward in schedule with an increase in costs.

Director Kempton stated Assembly Member Hancock and Senator Perata established the TBPOC and it was the TBPOC's job to clear political, budgetary and environmental concerns and to gain support from other agencies.

Commissioner Tagami asked about the size of the team involved in the SFOBB project.

Director Kempton indicated the state's yearly capital outlay support consisted of about 500 people including Shanghai inspection posts. He said that including contractor personnel, there may be thousands of people working on the project.

Commissioner Tagami asked about the frequency of meetings between the contractors and owners.

Director Kempton stated that the TBPOC is scheduled to meet with the SAS contractor again on May 12, 2008, and the process to date has worked well but the frequency of meetings will start to increase.

Commissioner Tavaglione stated that the meeting had shed much light and provided good information on the entire project. He thanked the members of the TBPOC for the invitation.

Bill Casey, Caltrans Senior Bridge Engineer, then made a presentation on the YBI Detour, including the east tie-in, west tie-in Phase 1 and the YBI Transition Structures Advance work.

3	Commissioner and Staff Tour of San Francisco-Oakland Bay Bridge Project	Bill Casey, Senior Bridge Engineer	I	D
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Commissioners, commission staff, and Caltrans staff departed for the tour.

ADJOURN

John Chalker

Upon return from the tour Chair Chalker adjourned the meeting of the California Transportation Commission at 4:15 pm.

JOHN F. BARNA, JR., Executive Director