

FINAL

East-West Connector Mitigation Monitoring Committee Meeting Minutes

January 4, 2011 - 6:30 p.m.

City of Fremont Niles Room (39550 Liberty Street, Fremont)

Attendees:

Robert Czerwinski (City of Fremont)
Melodye Khattak (City of Fremont)
Pat Mapelli (City of Fremont)
Angelo Artale (City of Union City)
John Repar (City of Union City)
Ray Gonzales, Jr. (City of Union City)
Ben Strumwasser (Facilitator, ACTC Project Team)
Tom Wintch (ACTC Project Team)
Stefan Garcia (ACTC Project Manager)

Meeting minutes:

1. Welcome and Introductions
 - Stefan Garcia welcomed the Mitigation Monitoring Committee (MMC) members, and provided a brief background on the project, including status of agencies involved and their relationship to the project (e.g. ACTA/ACTIA/ACTC).
2. Distribution of documents
 - Ben Strumwasser distributed the updated MMC roster and noted that his information is also there for questions and requests of the committee members.
3. Facilitator Role and Resource
 - Strumwasser outlined the role of facilitator as described in the MMC Formation document.
 - A member asked how often the Project Development Team meets and who is on it. Garcia noted that they generally meet monthly and that representatives of the cities, ACTC and other interested local agencies participate.
 - A member asked how the public is informed about MMC meetings. Garcia noted that the ACTC website (www.actia2022.com) will note the dates of the meetings. He also noted that while the public is welcome to attend MMC meetings, the purpose of the meeting is fundamentally for the MMC to accomplish its work as outlined in its Charter.
 - A member asked if meeting minutes will be made available. Garcia indicated that draft minutes will be emailed to MMC members for review, and will be posted on the ACTC site once approved by the MMC.
4. MMC Guidelines and Rules of Conduct
 - Guidelines and Rules of Conduct were distributed and reviewed.
 - A member asked if the every 6 months requirement for Board updates applies to city councils as well. Garcia noted that the same general time frame may apply but

FINAL

the committee might want to consider in certain instances to provide an update through a written memo outlining issues addressed at previous MMC meetings.

- A member asked when ACTIA board meetings are held. Garcia noted that they are held the fourth Thursday at 2:30 PM.
 - It was also pointed out that the MMC report will, (like other board items), need to go through the Projects and Program Committee (PPC) before the Board meeting.
 - A staff report for the Board and any other information would then be placed on the consent calendar unless it is pulled for discussion by the Board.
 - A member asked when the PPC meets. Garcia noted it is conducted on the second Monday of the month at 12:15PM (corrected from what was stated at the meeting).
 - A member asked where ACTC meetings are held. Strumwasser noted that this information, along with other logistical questions, will be provided and can be accessed through ACTA's website at www.actia2022.com. Garcia talked further about the transitions at ACTA, ACTIA and the ACTC and the roles of these agencies through the transition which is ongoing.
 - Members noted that they had recently completed a site walk along the corridor and planned to do another one as soon as weather permits.
5. Election of Committee Officers
- After committee discussion it was agreed that this item will be moved to the end of the agenda to let the group get to know one another a bit more.
6. Intended Scope, Mission and Function of the MMC
- Strumwasser reviewed the formation document highlighting the objectives and role of the group as approved by ACTA and the councils.
7. Overview of project background and current status
- Garcia noted that the project team was approximately 30% through the right-of-way acquisition process and 65% through design. Further, he noted that completed design documents should be available by the end of the year. Current estimates show construction starting in the summer of 2012 but are subject to change.
 - A member asked where we are on project funding.
 - We currently have \$110M in funding. New cost estimates for the project are being prepared.
 - A member asked is there a funding gap and are we looking for more money.
 - Another member asked, "How far can we go with what we have?" Garcia noted that there is a funding gap and that it is not unusual for large infrastructure projects to obtain their funds incrementally and that the agency and cities were actively pursuing other funding sources.
 - A member asked if a new EIR would be required if there was a significant delay in obtaining funds. Garcia noted that the environmental document was good for several years.
 - A member asked where the balance of funds might come from.
 - State Transportation Improvement Program(STIP)
 - Stimulus funds

FINAL

- City contributions
 - Other capital funding from ACTC
 - A member asked if they could have a copy of the Final Environmental Impact Report (FEIR). Garcia noted that the complete document is available online at ACTC/ACTIA's website (http://www.actia2022.com/app_pages/view/88)
 - A member noted that during their initial informal walking tour several questions about the project came up. Using an example, it was asked if these were the type of issues that would be addressed in the Committee. Garcia noted that as long as they are relevant to the Mitigation Monitoring Plan itself, they would be.
8. Summary discussion of key Mitigation Monitoring Plan (MMP) items
- Strumwasser distributed and provided an overview of the contents of the approved MMP.
 - A member asked about what type of issues would be addressed in the meetings. Strumwasser directed participants to an example of fencing/screening of construction staging areas. Garcia noted that it is expected that committee members will help the project team by providing an update of what they observe. The project team in turn will provide the committee with regular updates regarding the project's progress. Garcia noted that it will be helpful in some cases to get questions up front (before the meetings) so that issues can be properly agendized and detailed answers can be provided at the meetings themselves. It is expected that at the next meeting that we will review the project alignment and bring renderings as requested. In addition a request for elevations of the alignment was made.
9. Meeting documentation protocols and distribution schedule
10. Strumwasser reviewed the document distribution schedule as outlined in the Formation document. Schedule for future meetings
- Garcia requested that we plan 3 meetings in advance noting that we can still adjust timing if necessary. Members noted the 1st/3rd Thursdays should be avoided and that council meetings on Tuesday evenings should be avoided.
 - It was unanimously agreed that the MMC would schedule its meetings the 1st Wednesday of each quarter
 - April 6th
 - July 6th
 - October 5th
 - The next meeting will be held in Union City, location TBD. All meetings will be held at 7:00 PM
- A member asked how long the committee is expected to exist. Garcia indicated approximately 3-4 years.
11. Election of Committee Officers
- The group decided to informally select the Chair and Vice Chair. After a brief discussion amongst members, the committee unanimously agreed to elect John Repar as Chair and Bob Czerwinski as Vice-Chair. Strumwasser indicated he will be in touch with both to address any outstanding committee issues.

FINAL

There being no further business the meeting was adjourned at 8:10 PM.

ACTION ITEMS

Item	Description	Resp. Party	Status
1	Post dates of planned EWC MMC Meetings to ACTIA website (http://www.actia2022.com/app_pages/view/88)	Garcia	Complete
2	Post minutes of EWC MMC meetings to ACTIA website	Strumwasser/Garcia	Pending approval by MMC at next regularly scheduled meeting
3	Provide Location of ACTIA Board meetings at next MMC meeting	Strumwasser	Pending
4	Provide further information regarding "shelf life" of environmental document given funding shortfalls and possible delays in project construction.	Strumwasser	Delivered information to Chair
5	Bring alignment (roadway) exhibit board, renderings and elevations at next meeting	Wintch	Pending
6	Identify and notice location of next meeting	Strumwasser	Pending
7	Contact Chair and Vice Chair for future coordination in anticipation of next meeting	Strumwasser	Complete