1. CALL TO ORDER AND ROLL CALL

The Regular Meeting of the Santa Clara Valley Transportation Authority’s (VTA) Board of Directors (Board) was called to order by Chairperson Bruins at 5:31 p.m. in the Board of Supervisors’ Chambers, County Government Center, 70 West Hedding Street, San José, California.

Chairperson Bruins welcomed new Board Members Charles “Chappie” Jones and Lan Diep and Alternate Board Member Dev Davis, representing Group 1 - City of San Jose, and Alternate Board Member Bob Nuñez from the City of Milpitas, representing Group 5 – North East Cities.

1.1 Oaths of Office

Elaine Baltao, VTA Board Secretary, administered the Oath of Office to Board Members Charles “Chappie” Jones, and Lan Diep, and Alternate Board Members Dev Davis and Bob Nuñez.

1.2 ROLL CALL

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<tr>
<th>Attendee Name</th>
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<tr>
<td>Jeannie Bruins</td>
<td>Chairperson</td>
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<td>Larry Carr</td>
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<td>Cindy Chavez</td>
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<td>David Cortese</td>
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<td>Dev Davis</td>
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<td>Lan Diep</td>
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<td>Glenn Hendricks</td>
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<td>Charles “Chappie” Jones</td>
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<td>Johnny Khamis</td>
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<td>Sam Liccardo</td>
<td>Vice Chairperson</td>
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<td>John McAlister</td>
<td>Alternate Board Member</td>
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<td>Bob Nuñez</td>
<td>Alternate Board Member</td>
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<td>Teresa O'Neill</td>
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<td>Raul Peralez</td>
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<td>Rob Rennie</td>
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<td>Savita Vaidhyanathan</td>
<td>Board Member</td>
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<td>Ken Yeager</td>
<td>Board Member</td>
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* Alternates do not serve unless participating as a Member.

A quorum was present.
1.3. Orders of the Day

Chairperson Bruins noted Revised Agenda Item #6.2., Revised 2017 Appointments to Board Standing Committees, Joint Powers Boards, Policy Advisory Boards and Ad Hoc Committees was in the Board Members’ reading folders.

Chairperson Bruins noted staff requested Agenda Item #6.4., FTA Section 5310 Formula Grant Program Development, be deferred to a future meeting. She indicated the deadline was extended and VTA will have an opportunity to pursue additional funding.

M/S/C (Khamis/Chavez) to approve the Orders of the Day.

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2. AWARDS AND COMMENDATION

2.1 Retirement Commendation

Chairperson Bruins recognized the following retirees for their distinguished public service with VTA: Eddie Nunley, Overhaul and Repair Foreperson, for 38 years of service; Jess Martinez, Transit Foreperson, for 36 years of service; Gerry Welin, Support Mechanic, for 35 years of service; Patrick Garcia, Overhaul and Repair Foreperson, for 35 years of service; John Hurney, Paint and Body Worker, for 35 years of service; Randy Hester, Transit Maintenance Supervisor, for 34 years of service; Nancy Lopez, Coach Operator, for 32 years of service; Patricia Easley-Hill, Service Worker, for 32 years of service; Lorene Harris, Transportation Supervisor, for 31 years of service, and; Devinder Dhindsa, Coach Operator, for 28 years of service.

The following retirees were unable to attend, but were recognized for their distinguished public service with VTA: Benny Cheung, Light Rail Dispatcher, for 37 years of service; Edward Von Runnen, Bus Dispatcher, for 36 years of service; Susan Emery, Office and Timekeeping Technician, for 35 years of service; Douglas Coover, Coach Operator, for 31 years of service; Oscar Edwards, Coach Operator, for 29 years of service; Robert Ramos, Coach Operator, for 28 years of service; Carlito Mojica, Substation Maintainer, for 27 years of service; David Sausjord, Revenue Service Manager, for 26 years of service.

NOTE: M/S/C MEANS MOTION SECONDED AND CARRIED AND, UNLESS OTHERWISE INDICATED, THE MOTION PASSED UNANIMOUSLY.
2.2. **2017 Outgoing Board Member Resolution**

Chairperson Bruins recognized outgoing VTA Board Member Magdalena Carrasco.

M/S/C (Chavez/Hendricks) to adopt a Resolution of Appreciation No. 2017.02.07 for outgoing VTA Board Member Magdalena Carrasco.

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<td>Cindy Chavez, Board Member</td>
<td>Larry Carr, Board Member</td>
<td>Bruins, Carr, Chavez, Davis, Diep, Hendricks, Jones, Khamis, O’Neill, Peralez, Vaidhyanathan, Yeager</td>
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3. **PUBLIC COMMENT**

Christopher Stanton, Interested Citizen, stated there is an important need within the community and suggested VTA build an educational exhibit to introduce youth and the adult community to VTA and how to safely utilize the transportation system.

4. **PUBLIC HEARINGS**

There were no Public Hearings.

5. **COMMITTEE REPORTS**

5.1. **Citizens Advisory Committee (CAC) Chairperson's Report**

There was no CAC Report.

5.2. **Policy Advisory Committee (PAC) Chairperson's Report**

Policy Advisory Committee (PAC) Chairperson Miller provided a report on the January 12, 2017, Policy Advisory Committee meeting, highlighting: 1) Committee received the biennial budget report; 2) received Next Network update, noting the Committee is curious how it will integrate with 2016 Measure B efforts; 3) extensive discussion held regarding 2016 Measure B; 4) received a presentation on the Draft Transit Service Plan, and expressed concern that changes in local communities may mean a loss of paratransit service; and 5) expressed concern with future changes to the Highway 85 north/south bus.
5.3. **Policy Advisory Board Chairperson’s Report**

There were no Policy Advisory Board Reports.

6. **CONSENT AGENDA**

Board Member Chavez requested removing Agenda Item #6.5., Contract Award: Four to Six Color Offset Printing Services, from the Consent Agenda and place it on the Regular Agenda.

6.1. **Board of Directors Regular Meeting Minutes of January 5, 2017**

M/S/C (Chavez/Hendricks) to approve the Board of Directors Regular Meeting Minutes of January 5, 2017.


M/S/C (Chavez/Hendricks) to approve revised and/or additional appointments to Board Standing Committees, Joint Powers Boards, Policy Advisory Boards, and Ad Hoc Committees for 2017; and rename the Ad Hoc SVRT Program Working Committee to VTA’s BART Silicon Valley Ad Hoc Committee.

6.3. **Project Management/Construction Management Software Solution**

M/S/C (Chavez/Hendricks) to authorize the General Manager to execute a contract with PMWeb for furnishing a Project Management/Construction Management software solution for a period of five years in an amount up to $1,348,250.

6.4. **(Deferred to a future Board of Directors Meeting.)**

Adopt a resolution authorizing the General Manager to submit and execute grant applications and agreements, certifications, assurances, and other documents as necessary to receive funding from the California Department of Transportation (Caltrans) under the Federal Transit Administration (FTA) Section 5310 Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities Program.

6.5. **(Removed from the Consent Agenda and placed on the Regular Agenda.)**

Authorize the General Manager to execute on-call task order contracts with two (2) selected printing firms, Fong Brothers Printing, Inc. and ImageX, for four to six color printing services to be utilized on an as-needed basis. Each contract shall be for a period of up to five (5) years, with an option to extend the contract for an additional two-year term. The total amount for the two (2) contracts shall not exceed $700,000 for a total contract term of five years.
6.6. **Construction of the Rail Rehabilitation Phase 6 – Crossovers & Interlockings Contract (C16189F)**

M/S/C (Chavez/Hendricks) to authorize the General Manager to execute a contract with the lowest responsive and responsible bidder, DMZ Transit (Joint Venture), in the amount of $6,891,000 for the construction of the Rail Rehabilitation Phase 6 - Crossovers & Interlockings Contract (C16189F); and an available contract change authority of 25% over the contract amount.

6.7. **Approve On-Call List of Law Firms**

M/S/C (Chavez/Hendricks) to authorize the General Counsel, or his designee, to execute contracts and future extensions thereof with law firms in twelve specialized areas of law and litigation that were selected through a competitive procurement process. Each contract may be for a term of up to five years or until the conclusion of pending matters, whichever occurs later, and in a total amount not to exceed amounts budgeted for such legal services in any given year.

6.8. **Adopt VTA’s Transit Asset Management Program Project List**

M/S/C (Chavez/Hendricks) to adopt VTA's Federal Transit Administration (FTA) grant-funded state-of-good-repair investment program as shown in Attachment A.

6.9. **FY 2018 & FY 2019 Biennial Budget Assumptions**

M/S/C (Chavez/Hendricks) to review the Fiscal Year 2018 & Fiscal Year 2019 Biennial Budget Assumptions Framework.

6.10. **Federal Legislative Consulting Services**

M/S/C (Chavez/Hendricks) to receive information on federal legislative consulting services.

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7. REGULAR AGENDA

7.1. 1976 Tax, Sales Tax Revenue Refunding Bonds, 2017 Series A

Raj Srinath, Chief Financial Officer, provided a brief overview of the staff report.

Board Member Khamis thanked staff for researching the matter and saving tax payer dollars.

M/S/C (Chavez/Hendricks) to adopt Resolution Number 2017.02.08, authorizing the refunding of certain maturities of the 2007 Bonds, approving the transaction documents (on file with the Board Secretary), and authorizing the General Manager and Chief Financial Officer to individually take all actions necessary to issue the 1976 Tax, Sales Tax Revenue Refunding Bonds, 2017 Series A (the “2017 Bonds”) and pay issuance costs.

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7.2. Contract Award for ACCESS Paratransit Services

Inez Evans, Chief Operating Officer, and Aaron Vogel, Regional Transportation Services Manager, provided an overview of the staff report and a presentation entitled “Paratransit Takeover Update,” highlighting: 1) Emergency Contract Authorized with MV; 2) Paradigm Shifts; 3) Progress; 4) General Information, and; 5) New Paratransit Facility Pictures.

Members of the Committee and staff discussed the following: 1) online access will be available in April 2017; 2) average cost of a one-way paratransit ride is $45.00; 3) breakdown of Request for Proposal (RFP) contract figures; 4) customer satisfaction efforts; 5) real-time survey program will be implemented; 6) acknowledged and thanked VTA for the hard work and smooth transition to an emergency provider; 7) consider first and last mile solutions; 8) consider conducting an evaluation of how service is delivered; 9) expressed appreciation for the contract flexibility, and; 10) recommended that as new opportunities for services come forward that there be a discussion with one of the subcommittees about how that would work.

Public Comment

Christine Fitzgerald, Chairperson for the Committee for Transportation, Mobility and Accessibility (CTMA), and Community Advocate for Silicon Valley
Independent Living Center, noted the following; 1) importance of fully accessible rides and trips according to needs; 2) expressed concern about potential Almaden Valley bus service cuts, and; 3) request the Board keep the cost as low as possible, noting many people are on Social Security Disability Insurance (SSDI).

Eugene Bradley, Silicon Valley Transit User, suggested contract bid financials be made available to ensure that potential bidders are solvent.

Gary Coles, Chief Sales Officer at MV Transportation, thanked VTA for their past partnership, and encouraged the Board to approve the contract award to MV for Access Paratransit. He stated MV Transportation is one of the largest paratransit providers in North America and works with the largest agencies in the United States. He expressed excitement and stated MV looks forward to continuing their partnership with VTA.

M/S/C (Khamis/Chavez) to authorize the General Manager to execute a four year contract with MV Transportation (MV) in the amount of $79,875,047 to provide VTA’s ACCESS Paratransit Services.

Chairperson Bruins thanked staff for the incredible job during the emergency transition, and noted her appreciation for the honesty during the process. She expressed appreciation that VTA is looking to the future and making positive changes for the community.

7.3. **Paratransit Account Balance Practice Change**

Mr. Vogel provided an overview of the staff report.

Board Member Hendricks stated the matter came through the Administration and Finance Committee (A&F), noting the Committee’s understanding of the importance of financial accountability. He thanked VTA staff for their understanding in working with customers to transition these additional changes into the system.

**On Order of Chairperson Bruins** and there be no objection, the Board received and reviewed the Paratransit Account Balance Practice Change to eliminate the allowance of negative account balances.
6.5. **Contract Award: Four to Six Color Offset Printing Services**

Chairperson Bruins requested the item be deferred.

*M/S/C (Chavez/Hendricks)* to defer authorizing the General Manager to execute on-call task order contracts with two (2) selected printing firms, Fong Brothers Printing, Inc. and ImageX, for four to six color printing services to be utilized on an as-needed basis. Each contract shall be for a period of up to five (5) years, with an option to extend the contract for an additional two-year term. The total amount for the two (2) contracts shall not exceed $700,000 for a total contract term of five years.

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8. **OTHER ITEMS**

8.1. **General Manager Report**

Ms. Fernandez provided a report, highlighting:

- On January 21, 2017, the Women’s March took place in San Jose with approximately 25,000 people participating in the event. VTA successfully moved 16,200 people in four hours with limited notice.

- VTA is committed to improving the customers’ experience through innovation. In that effort, VTA is expanding mobile ticketing, partnering with Giant Gray and IBM to improve the Closed-Circuit Television (CCTV) system, and working with Mobileye and ROSCO on transit bus collision avoidance notification.

- Announced February through June 2017, VTA will be conducting passenger surveys on board buses and light rail trains to gather information about VTA’s riders and their travel patterns.

Captain David Lera provided a brief security report and presentation, highlighting the following: 1) January, 2017, there were 112 incidents with 60 arrests; 2) law enforcement security staff increase has been positive; 3) Sheriff Transit Patrol three-year comparison, and; 4) 2014-2016 Serious or Violent Incidents by City.
Board Member Khamis queried about the Ridership Report. Ms. Fernandez stated VTA ridership continues to show a decrease of approximately seven percent as compared to 2016, noting the report would be provided to the Board Members.

8.1.A. Government Affairs Update

Ms. Fernandez announced Elaine Chao was confirmed as the Secretary to the U.S. Department of Transportation (DOT). Ms. Fernandez stated the region is looking forward to working closely with Secretary Chao and her team to deliver local county projects to residents.

Aaron Quigley, Senior Policy Analyst, provided an update on Government Affairs, highlighting Governor Jerry Brown’s formal submittal of the FY2018 budget to the legislature on January 10, 2017. Mr. Quigley noted the budget includes a summary of the transportation funding plan and recommended legislature regarding cap and trade allowance auctions.

On order of Chairperson Bruins and there being no objection, the Board received the Government Affairs Update.

8.1.B. Silicon Valley Rapid Transit (SVRT) Program Update

Dennis Ratcliffe, Interim Director Engineering and Transportation Infrastructure Development, discussed the progress of the SVRT program and provided a presentation entitled, “SVRT Program Update,” highlighting: 1) Berryessa Extension; 2) Berryessa Extension Cost Summary; 3) Berryessa Extension Progress; 4) Milpitas Station Construction Progress; 5) Berryessa Station Construction Progress; and 6) Phase II Extension Activities.

On order of Chairperson Bruins and there being no objection, the Board received the Silicon Valley Rapid Transit (SVRT) Program Update.

8.1.C. Next Network Transit Service Plan Update


Members of the Board and staff discussed the following: 1) expressed constituents’ concern about Almaden Valley bus service cuts and queried about alternative plans to meet customer needs; 2) core connectivity analysis will help determine available options; 3) Route 10 subsidized airport shuttle service will be replaced with Bus Route 60, noting customers continuing on past the airport will be required to pay a fare; 4) Route 77 decrease of 24%; 5) expressed appreciation for VTA community outreach; 6) ridership growth forecast will be forthcoming in March/April 2017 timeframe; 7) expressed appreciation for on-board customer survey process, and
8) receiving positive customer feedback from downtown San Jose residents regarding frequency of service.

Chairperson Bruins encouraged Board Members to attend the Community Outreach Meetings, noting they are collaborative and informative.

**Public Comment**

Mr. Stanton commented on the following: 1) consider offering a Day Pass for Bus Line 181 to Fremont to avoid additional fares, and; 2) consider offering a Bus Line 615 that makes a simple loop between the Civic Center and Valley Med. This would increase frequency and intercept the wheelchair traffic going from light rail to Valley Med which causes delays on the long haul on Route 61 and 62.

James Wightman, Interested Citizen, suggested that Bus Line 60 should go to the San Jose Airport and continue on to the Fremont BART Station; 2) consider light rail express service from Baypointe Station to the Milpitas BART Station; 3) suggested CCTV security be installed at all light rail stations, and; 4) the new Route 11 should loop from the San Jose Airport to the Milpitas Berryessa BART Station, back to the San Jose Airport and then to downtown San Jose.

Mr. Bradley commented on the following: 1) queried about the promotion of new services to new VTA riders; 2) expressed appreciation for free transfers; 3) noted the importance of timing connections, and 4) queried what would get the Board Members on the VTA bus?

Joyce, Interested Citizen, referenced a petition submitted to the VTA Board of Directors which expressed concern about the service cuts to Almaden Valley. She suggested VTA consider two route possibilities as outlined in the petition: 1) extend 64SB to Almaden and Coleman, and; 2) combine and extend a portion of Route 13 with 63, from Almaden Expressway to Camden during peak times. She stated these changes will support VTA’s mission to provide customer service, to facilitate commuters and increase ridership by utilizing public transportation.

On order of Chairperson Bruins and there being no objection, the Board received the Next Network Transit Service Plan Update.

8.2. **Chairperson’s Report**

Chairperson Bruins announced the following: 1) her appointment to the Metropolitan Transportation Commission (MTC); 2) noted she now represents VTA at Caltrain, and; 3) announced she will be participating in the launch of the VTA Diversity Committee on Wednesday, February 15, at 11:30 a.m. at the VTA River Oaks Facility, and invited her colleagues to join her.

8.3. **Items of Concern and Referral to Administration**

There were no Items of Concern and Referral to Administration.
8.4. **Unapproved Minutes/Summary Reports from VTA Committees, Joint**

**8.4.A. VTA Standing Committees**

- Silicon Valley Rapid Transit (SVRT) Program Working Committee – There was no report.
- Governance and Audit Committee – There was no report.
- Congestion Management Program & Planning (CMPP) Committee – Notice of Cancellation was accepted as contained in the Agenda Packet.
- Safety, Security, and Transit Planning & Operations (SSTP&O) Committee – Notice of Cancellation was accepted as contained in the Agenda Packet.
- Administration & Finance (A&F) Committee – There was no report.

**8.4.B. VTA Advisory Committees**

- Technical Advisory Committee (TAC) – There was no report.
- Citizens Advisory Committee (CAC) and 2000 Measure A Citizens Watchdog Committee (CWC) - The January 11, 2017, Minutes were accepted as contained in the Agenda Packet.
- Bicycle & Pedestrian Advisory Committee (BPAC) - The January 11, 2017, Minutes were accepted as contained in the Agenda Packet.
- Committee for Transportation Mobility and Accessibility (CTMA) – The January 12, 2017, Minutes were accepted as contained in the Agenda Packet.
- Policy Advisory Committee (PAC) - The January 12, 2017, Minutes were accepted as contained in the Agenda Packet.

**8.4.C. VTA Policy Advisory Boards (PAB)**

- State Route 85 Corridor PAB – There was no report.
- Downtown East Valley Policy Advisory Board – There was no report.
- Diridon Station Joint Policy Advisory Board – There was no report.
- El Camino Real Rapid Transit PAB – There was no report.
8.4.D. Joint Powers Boards and Regional Commissions

- Caltrain Peninsula Corridor Joint Powers Board - The February 2, 2017, Summary Notes were accepted as contained in the reading folder.

- Capitol Corridor Joint Powers Authority – There was no report.

- Dumbarton Rail Corridor Policy Committee - There was no report.

- Metropolitan Transportation Commission (MTC) - There was no report.

- Sunol Smart Carpool Lane Joint Powers Authority - There was no report.

- SR 152 Mobility Partnership - There was no report.

8.5. ANNOUNCEMENTS

There were no Announcements.

9. CLOSED SESSION

Chairperson Bruins noted that Agenda Item 9.1.B, - Conference with Legal Counsel – Existing Litigation, has been deferred.

9.1. Recessed to Closed Session at 7:30 p.m.

A. Conference with Legal Counsel - Existing Litigation
   [Government Code Section 54956.9(d)(1)]

   Name of Case: Santa Clara Valley Transportation Authority v. Chung, et al. (Santa Clara County Superior Court Case No. 1-16-CV-292568)

B. (Deferred)

Conference with Legal Counsel - Existing Litigation
   [Government Code Section 54956.9(d)(1)]

   Name of Case: Con-Quest Contractors, Inc. v. Santa Clara Valley Transportation Authority, et al. (Santa Clara County Superior Court Case No. 1-16-CV-291015)
C. Conference with Legal Counsel - Existing Litigation
   [Government Code Section 54956.9(d)(1)]

   Name of Case: California Public Employees’ Retirement System v. Santa Clara Valley Transportation Authority, et al. (Sacramento Superior Court Case No. 34-2016-00196269 and Third Appellate District Case No. C083355)

9.2. Reconvened to Open Session at 8:05 p.m.

9.3. Closed Session Report

   A. Conference with Legal Counsel - Existing Litigation
      [Government Code Section 54956.9(d)(1)]

      Name of Case: Santa Clara Valley Transportation Authority v. Chung, et al. (Santa Clara County Superior Court Case No. 1-16-CV-292568)

      Robert Fabela, General Counsel, noted no reportable action was taken during Closed Session.

   C. Conference with Legal Counsel - Existing Litigation
      [Government Code Section 54956.9(d)(1)]

      Name of Case: California Public Employees’ Retirement System v. Santa Clara Valley Transportation Authority, et al. (Sacramento Superior Court Case No. 34-2016-00196269 and Third Appellate District Case No. C083355)

      Mr. Fabela noted no reportable action was taken during Closed Session.

10. ADJOURNMENT

On order of Chairperson Bruins and there being no objection, the meeting was adjourned at 8:15 p.m.

Respectfully submitted,

Anita McGraw, Board Assistant
VTA Office of the Board Secretary