

## BOARD OF DIRECTORS MEETING

Thursday, April 2, 2015

### MINUTES

#### 1. CALL TO ORDER AND ROLL CALL

---

The Regular Meeting of the Santa Clara Valley Transportation Authority's (VTA) Board of Directors was called to order by Chairperson Woodward at 5:33 p.m. in the Board of Supervisors' Chambers, County Government Center, 70 West Hedding Street, San José, California.

##### 1.1. ROLL CALL

Attendee Name	Title	Status
Jason Baker	Board Member	Present
Jeannie Bruins	Alternate Board Member	Absent
Larry Carr	Alternate Board Member	Present
Magdalena Carrasco	Board Member	Present
Cindy Chavez	Vice Chairperson	Present
Dave Cortese	Alternate Board Member	Absent
Jose Esteves	Board Member	Present
Rose Herrera	Board Member	Absent
Ash Kalra	Board Member	Present
Johnny Khamis	Board Member	Absent
Rich Larsen	Board Member	Present
Sam Liccardo	Board Member	Present
Jamie Matthews	Alternate Board Member	Absent
Howard Miller	Alternate Board Member	Absent
Raul Peralez	Alternate Board Member	Absent
David Whittum	Board Member	Present
Perry Woodward	Chairperson	Present
Ken Yeager	Board Member	Present

\* Alternates do not serve unless participating as a Member.

**A quorum was present.**

##### 1.2. Orders of the Day

Chairperson Woodward indicated the meeting would be adjourned in memory of San Jose Police Officer, Michael Johnson.

Chairperson Woodward noted Board Member Liccardo's request to move **Agenda Item # 6.7.**, Lifeline Transportation Fourth Cycle Grant Awards, to the Regular Agenda.

Board Member Esteves requested any items with a change of 25 percent or higher in the original contract be placed on the Regular Agenda and not on the Consent Agenda, so the Board can hear the details to better understand the changes.

Board Member Kalra arrived at the meeting and took his seat at 5:37 p.m.

**M/S/C (Larsen/Chavez)** to accept the Orders of the Day, and approve the Consent Agenda, as amended.

<b>RESULT:</b>	<b>APPROVED</b> <b><u>(Orders of the Day, Consent Agenda Items #: 6.1- 6.6; 6.8-6.15)</u></b>
<b>MOVER:</b>	Rich Larsen, Board Member
<b>SECONDER:</b>	Cindy Chavez, Board Member
<b>AYES:</b>	Baker, Chavez, Esteves, Kalra, Larsen, Whittum, Woodward, Yeager
<b>NOES:</b>	None
<b>ABSENT:</b>	Carrasco, Herrera, Khamis, Liccardo

---

## **2. AWARDS AND COMMENDATION**

---

### **2.1 2014 Employees of the Year**

Chairperson Woodward recognized Krishan Sabherwal, Associate Systems Engineer, Guadalupe Division; David Howard, Coach Operator, North Operations; Rick Melatti, Transit Foreperson, North Maintenance, as Employees of the Quarter for the Second (2<sup>nd</sup>) quarter of 2015; and Cheryl Gonzales, Assistant Superintendent of Service Management, Guadalupe Division, for Supervisor of the Quarter for the Second (2<sup>nd</sup>) quarter of 2015.

Board Member Carrasco arrived at the meeting and took her seat at 5:40 p.m.

### **2.2 Resolution of Commendation for Michael J. Scanlon**

Chairperson Woodward indicated Mr. Scanlon was unable to attend the meeting. He highlighted several of Mr. Scanlon's achievements during his tenure and leadership.

**M/S/C (Larsen/Chavez)** to adopt **Resolution No. 2015.04.09** commending Michael J. Scanlon, retired General Manager and Chief Executive Officer of the San Mateo County Transit District, the Executive Director of the Peninsula Corridor Joint Powers Board and as the Executive Director of the San Mateo County Transportation Authority.

**NOTE:** M/S/C MEANS MOTION SECONDED AND CARRIED AND, UNLESS OTHERWISE INDICATED, THE MOTION PASSED UNANIMOUSLY.

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Rich Larsen, Board Member
<b>SECONDER:</b>	Cindy Chavez, Board Member
<b>AYES:</b>	<b>Baker, Carrasco, Chavez, Esteves, Kalra, Larsen, Whittum, Woodward, Yeager</b>
<b>NOES:</b>	None
<b>ABSENT:</b>	Herrera, Khamis, Liccardo

### **3. PUBLIC COMMENT**

---

Rob Means, Interested Citizen, expressed concern with global warming and provided a handout and information on Automated Network Stations.

John Rainville, Interested Citizen, expressed concern with bicyclists and skateboarders not following the rules on platforms and delays caused by drivers not leaving on-time.

Kevin Kitilla, Interested Citizen, expressed concern with the removal of the front seats on buses.

Board Member Liccardo arrived at the meeting and took his seat at 5:48 p.m.

### **4. PUBLIC HEARINGS**

---

There were no Public Hearings.

### **5. REPORTS**

---

#### **5.1. Citizens Advisory Committee (CAC)/2000 Measure A Citizens Watchdog Committee (CWC) Chairperson's Report**

There was no Citizens Advisory Committee (CAC)/2000 Measure A Citizens Watchdog Committee (CWC) Chairperson's Report.

**The Agenda was taken out of order.**

#### **5.3. General Manager's Report**

Nuria I. Fernandez, General Manager, noted copies of both the security and ridership reports were provided on the dais and the public table.

Ms. Fernandez provided a report, highlighting:

- A video presentation on the successful transit service provided for the San Jose Earthquakes' first official game at Avaya Stadium.
- Robust transit plan and successful service for WrestleMania 31 at Levi's Stadium.

- Production of the Explore Silicon Valley brochure, which is being made available to hotels and tourism centers, and highlights places of interest in Santa Clara County and how to get around using the transit system.
- National Association of City Transportation Officials (NACTO) training co-sponsored by VTA, City of San Jose, and Caltrans.
- Human Trafficking press conference at Cerone Bus Operating Division and a training kick-off for more than 2000 VTA employees. Thanked Board Member Chavez who was instrumental in bringing training to VTA.
- Silicon Valley Leadership Group (SVLG) Washington, D.C. trip to discuss many issues relevant to Silicon Valley with leaders of the House, Senate and Congressional Delegation.
- Announced the Stand Up for Transportation local rally on April 9, 2015, at San Jose State University and the regional event at the Transbay Terminal Center site in San Francisco, in support of the Moving Ahead for Progress in the 21st Century Act (MAP-21) .

Ms. Fernandez provided a brief overview of the Ridership Growth Plan and the approach and introduced Inez Evans, Chief of Staff.

Ms. Evans provided a brief overview of the outline and a presentation, highlighting: 1) Current environment; 2) Key assumptions; 3) Objective; and 4) First mile-Last mile.

Board Member Liccardo arrived at the meeting and took his seat at 6:14 p.m.

Vice Chairperson Chavez encouraged staff to take advantage of the opportunity to discuss modalities with Board, partners, and labor movement. She urged staff to assess land use along alignments and look at growth opportunities.

Board Member Yeager commended staff on the transportation VTA provided at the memorial service for San Jose Police Officer Johnson. He thanked Ms. Fernandez for the report on WrestleMania and questioned the costs of event services, and if anyone is helping defray those costs.

Ms. Fernandez noted there was a presentation given to Administration and Finance Committee (A&F), and noted the average cost was \$145-150 thousand per event in 2014. She noted staff will be providing an update to A&F.

Board Member Liccardo requested staff report back to the full Board on the sharing of the financial burden for future events.

Board Member Whittum expressed enthusiasm on transportation growth and evolution and encouraged staff to continue to look at creativity in delivering service.

Board Member Esteves suggested staff look at local traffic and utilizing shuttle buses to service popular centers and provide transportation to major lines.

Board Member Baker suggested staff look at what is affecting land use and reward good planning. He thanked Ms. Fernandez and staff for going the extra mile to make sure transportation plans work at events.

### **5.3.A VTA's Safety Program**

Ms. Fernandez introduced the item and noted several key pillars of safety including: 1) Policies, procedures and protocols; 2) training and awareness; and 3) hardening.

Steve Keller, Director of System Safety and Security, provided a brief report, with a presentation, highlighting: 1) Efficient, effective, safe transit system; 2) Status of security plan for VTA's BART Silicon Valley Project; and 3) Emergency operations and emergency planning.

Vice Chairperson Chavez thanked staff for their work and commented on key components with BART and the basic level of security services to be provided by BART.

Board Member Larsen requested the item be presented to Transit Planning and Operations (TP&O) Committee as well.

### **5.3.B Metropolitan Transportation Commission (MTC) and California Transportation Commission (CTC) Activities**

Aaron Quigley, Senior Policy Analyst, provided a brief report on the March 25, 2015, MTC meeting, highlighting: 1) elected Rohnert Park Councilmember Jake McKenzie, to serve as vice chairperson of the Commission; 2) approved project list for Cap and Trade Low Carbon Transit Operations Program Population-Based funds; and 3) Commission approved two appointments to MTC Policy Advisory Council including Maria Gabriela Huertas Diaz from Santa Clara County; and 4) MTC will vote on list of projects for lifeline transportation projects.

Board Member Baker expressed concern with the time frame for applying for Cap and Trade funds and the lack of applications from Santa Clara County. He suggested staff discuss what can be done to get more cities to apply in the next phase of the program.

### **Public Comment**

Eugene Bradley, Interested Citizen, expressed concern with transfers and the travel time for Express Buses at Levi's Stadium events.

## **5.4. Chairperson's Report**

Chairperson Woodward provided a brief report, highlighting the following: 1) Board Workshop on May 1, 2015, on the proposed Biennial Budget and draft

Environmental Impact Report (EIR) for El Camino Real Bus Rapid Transit (BRT) project; 2) Envision Silicon Valley (ESV) effort and status on the review and adoption of the draft goals and principles; 3) Microsite for ESV, which is an interactive web tool for committee to share goals for the program; 5) Governance and Audit Committee met and defined the Committee work plan, format for standardizing reports made by committee chairs at the Board meetings, and Board self-evaluation process.

Board Member Liccardo noted MTC is conducting work regarding housing and transportation issues in the Bay Area and wanted to ensure staff working on Envision Silicon Valley goals are aware and providing links to MTC's Vital Signs website.

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

Larry Carr, PAC Chairperson, provided a brief report of the March 12, 2015, PAC Regular Meeting highlighting the following: 1) ESV draft goals and principles; 2) recommended approval of Lifeline Transportation program; 3) status update from MTC; and 4) invitation to constituents to present information on things happening in their city.

**6. CONSENT AGENDA**

---

**6.1. Board of Directors Regular Meeting Minutes of March 5, 2015**

M/S/C (Larsen/Chavez) to approve the Board of Directors Regular Meeting Minutes of March 5, 2015.

**6.2. Committee for Transit Accessibility Appointment**

M/S/C (Larsen/Chavez) to approve the appointment of Christine Fitzgerald to the Committee for Transit Accessibility, representing persons with disabilities, for the two-year term ending December 31, 2016.

**6.3. CAD/AVL Consultant Services Contract Award**

M/S/C (Larsen/Chavez) to authorize the General Manager to execute a contract with Intueor Consulting, Inc. in an amount not to exceed \$791,200. This contract will provide procurement support, project management, advanced communications system testing and acceptance, staffing plans and training, and intelligent transportation systems integration to support the Computer Aided Dispatch/Automatic Vehicle Location (CAD/AVL) system replacement project. The initial term of the contract will be three years with an option to extend an additional year.

**6.4. Santa Clara – Alum Rock Bus Rapid Transit Project Additional Authorization for Utility Rearrangement Construction**

M/S/C (Larsen/Chavez) to authorize the General Manager to expend \$1.4 million in additional funds under existing agreements for utility relocation construction activities identified on the Santa Clara - Alum Rock Bus Rapid

Transit Project. The revised total estimated cost for such relocation work is \$6.3 million.

**6.5. SVRT Program: Mission/Warren/Freight Railroad Relocation Contract with RGW Construction, Inc.**

M/S/C (Larsen/Chavez) to authorize the General Manager to amend the construction contract with RGW Construction, Inc. for additional work related to the Mission Boulevard/Warren Avenue/Freight Railroad Relocation Program in the amount of \$2,800,000 increasing the contract amount to \$59,546,318, and to extend the contract completion by 251 days to December 31, 2015.

**6.6. SVRT Program: Mission/Warren/Freight Railroad Relocation Contract Amendment with Ghiradelli Associates, Inc. for Construction Management Services**

M/S/C (Larsen/Chavez) to authorize the General Manager to amend the contract with Ghirardelli Associates, Inc. for Construction Management Services in support of the Mission/Warren/Freight Railroad Relocation Program in the amount of \$314,000 for a new authorized amount of \$8,709,000.

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

Approve the Lifeline Transportation Program, Fourth Cycle program of projects and adopt a Resolution of Local Support; authorize the General Manager to enter into funding agreements with the State of California, Outreach & Escort, and Peninsula Family Services, as needed, to deliver projects.

**6.8. Legislative Update Matrix**

M/S/C (Larsen/Chavez) to review the Legislative Update Matrix.

**6.9. Monthly Investment Report for January 2015**

M/S/C (Larsen/Chavez) to receive the Monthly Investment Report for January 2015.

**6.10. Programmed Project Monitoring – Quarterly Report**

M/S/C (Larsen/Chavez) to receive the Programmed Projects Quarterly Monitoring Report for October-December 2014.

**6.11. VTA's Response to SPUR Report – Freedom to Move**

M/S/C (Larsen/Chavez) to receive a report on VTA's response to SPUR's Freedom to Move report.

**6.12. Measure A Semi-Annual Report Ending December 31, 2014**

M/S/C (Larsen/Chavez) to receive the 2000 Measure A Transit Improvement Program Semi-Annual Report (December 2014).

**6.13. Transit Service Changes – April 2015**

M/S/C (Larsen/Chavez) to receive a report on the April 2015 Transit Service Changes.

**6.14. FY16 & FY17 Transit Service Plan**

M/S/C (Larsen/Chavez) to review the FY2016 and FY2017 Transit Service Plan and the recommended transit service changes.

**6.15. SVRT Program Update**

M/S/C (Larsen/Chavez) to receive the Silicon Valley Rapid Transit (SVRT) Program Update.

---

**7. REGULAR AGENDA**

---

*Administration and Finance Committee (A&F)*

**7.1. Status Update of VTA-BART Comprehensive Agreement**

Board Member Kalra provided a brief report on the actions taken at the March 19, 2015, Administration and Finance Committee (A&F) meeting and introduced the item.

Dennis Ratcliffe, Deputy Director, SVRT, provided an overview of the staff report.

Members of the Committee discussed costs associated with the Hayward Maintenance Complex and vehicle procurement.

Board Member Yeager left the meeting at 7:00 p.m.

**Public Comment**

Mr. Kitilla expressed opposition with bringing BART to San Jose due to the costs.

Mr. Lebrun expressed concern with the information presented at VTA meetings being different than the information at BART meetings.

Omar Chatty, Interested Citizen, expressed approval of BART to San Jose.

Vice Chairperson Chavez expressed support for a recommendation made at the A&F meeting to have a workshop regarding the BART program, so the Board has a shared understanding.



Board Member Esteves agreed with the need for an additional workshop expressing concern with the financial aspects.

**On order of Chairperson Woodward** and there being no objection, the Board of Directors received the VTA-BART Comprehensive Agreement Status Update.

***Congestion Management Program and Planning Committee (CMPP)***

**6.7. Lifeline Transportation Program Fourth Cycle Grant Awards**

Board Member Whittum provided a brief report on the actions taken at the March 19, 2015, Congestion Management Program and Planning (CMPP) Committee meeting and introduced the item.

The Committee discussed the following: 1) autonomous vehicles, car sharing, and the possible use of other non-standard transit modes for providing additional service; 2) effects on paratransit services; and 3) evaluating new lines of business and growth strategies.

**Public Comment**

Katie Heatley, Outreach Paratransit Inc., provided comment on several transportation and technology services Outreach has already taken advantage of.

**M/S/C (Whittum/Liccardo)** to approve the Lifeline Transportation Program, Fourth Cycle program of projects and adopt a **Resolution No. 2015.04.10 of Local Support**; authorize the General Manager to enter into funding agreements with the State of California, Outreach & Escort, and Peninsula Family Services, as needed, to deliver projects.

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	David Whittum, Board Member
<b>SECONDER:</b>	Sam Liccardo, Board Member
<b>AYES:</b>	<b>Baker, Carrasco, Chavez, Esteves, Kalra, Larsen, Liccardo, Whittum, Woodward</b>
<b>NOES:</b>	None
<b>ABSENT:</b>	Herrera, Khamis, Yeager

***Transit Planning and Operations Committee (TP&O)***

Board Member Larsen provided a brief report on the actions taken at the March 18, 2015, TP&O meeting.

***Diridon Station Joint Policy Advisory Board***

Board Member Liccardo provided a brief overview of the items heard at the March 20, 2015, Diridon Station Joint PAB meeting.

## **8. OTHER ITEMS**

---

### **8.1. ITEMS OF CONCERN AND REFERRAL TO ADMINISTRATION**

There were no Items of Concern and Referral to Administration.

### **8.2. Reports from VTA Committees, Joint Powers Boards (JPB), and Regional Commissions.**

#### **8.2.A. VTA Standing Committees**

- Silicon Valley Rapid Transit Program Working Committee (SVRT PWC) – The March 2, 2015 Minutes were accepted as contained in the Agenda Packet.
- Governance and Audit Committee – The March 5, 2015, Minutes were accepted as contained in the Agenda Packet.
- Transit Planning & Operations (TP&O) Committee – The March 18, 2015 Minutes were accepted as contained in the Agenda Packet.
- Congestion Management Program & Planning (CMPP) Committee – The March 19, 2015, Minutes were accepted as contained in the Agenda Packet.
- Administration & Finance (A&F) Committee – The March 19, 2015, Minutes were accepted as contained in the Agenda Packet.

#### **8.2.B. VTA Advisory Committees**

- Committee for Transit Accessibility (CTA) – There was no report.
- Citizens Advisory Committee (CAC) and 2000 Measure A Citizens Watchdog Committee (CWC) – The March 11, 2015, Minutes were accepted as contained in the Agenda Packet.
- Bicycle & Pedestrian Advisory Committee (BPAC) – The March 11, 2015, Minutes were accepted as contained on the dais.
- Technical Advisory Committee (TAC) – The March 12, 2015, Minutes were accepted as contained in the Agenda Packet.
- Policy Advisory Committee (PAC) – The March 12, 2015, Minutes were accepted as contained on the dais.

#### **8.2.C. VTA Policy Advisory Boards (PAB)**

- Downtown East Valley PAB – There was no report.
- Diridon Station Joint Policy Advisory Board – There was no report.
- El Camino Real Rapid Transit PAB – There was no report.

#### **Public Comment**

Mr. Lebrun expressed concern with the High Speed Rail Authority.

#### **8.2.D. Joint Powers Boards and Regional Commissions**

- Peninsula Corridor JPB – There was no report.

- Capitol Corridor JPB – The April 2, 2015 Summary Notes were accepted as contained on the dais.
- Dumbarton Rail Corridor Policy Committee – There was no report.
- Metropolitan Transportation Commission (MTC) – The March 25, 2015 Summary Notes were accepted as contained on the dais.
- Sunol Smart Carpool Lane Joint Powers Authority – There was no report.
- SR 152 Mobility Partnership – There was no report.

**Public Comment**

Mr. Chatty expressed concern with Caltrain and expressed support for BART around the peninsula.

**8.3. ANNOUNCEMENTS**

There were no Announcements.

**9. CLOSED SESSION**

---

**9.1. Recessed to Closed Session at 7:32 p.m.**

- A. Conference with Real Property Negotiators  
[Government Code Section 54956.8]  
  
Property: Portions of 49000-49026, 49036-49050 and 49070-49090 Milmont Drive, Fremont, California (APNs: 519-1010-112 and -113)  
  
Agency Negotiator: Bijal Patel, Deputy Director, Property Development & Management  
  
Negotiating Party: Roger Fields, Manager, Asilomar Partners Milmont, LLC  
  
Under Negotiation: Price and terms
- B. Conference with Legal Counsel- Anticipated Litigation  
  
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9.  
  
Number of Cases: 1
- C. Conference with Labor Negotiators  
(Government Code Section 54957.6)  
  
VTA Designated Representatives  
Bill Lopez, Director of Business Services  
Robert Escobar, Deputy Director, Labor Relations  
Raj Srinath, Chief Financial Officer  
  
Employee Organization  
Amalgamated Transit Union, Local 265

Service Employees International Union, Local 521

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

**9.3. Closed Session Report**

**A. Conference with Real Property Negotiators**  
[Government Code Section 54956.8]

Property: Portions of 49000-49026, 49036-49050 and 49070-49090  
Milmont Drive, Fremont, California (APNs: 519-1010-112 and -113)

Agency Negotiator: Bijal Patel, Deputy Director, Property Development & Management

Negotiating Party: Roger Fields, Manager, Asilomar Partners Milmont, LLC

Under Negotiation: Price and terms

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

**B. Conference with Legal Counsel- Anticipated Litigation**

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9.

Number of Cases: 1

Mr. Fabela reported that no reportable action was taken during Closed Session.

**C. Conference with Labor Negotiators**  
(Government Code Section 54957.6)

VTA Designated Representatives

Bill Lopez, Director of Business Services

Robert Escobar, Deputy Director, Labor Relations

Raj Srinath, Chief Financial Officer

Employee Organization

Amalgamated Transit Union, Local 265

Service Employees International Union, Local 521

Mr. Fabela reported that no reportable action was taken during Closed Session.

**10. ADJOURNMENT**

---

**On order of Chairperson Woodward** and there being no objection, the meeting was adjourned at 8:06 p.m. in memory of San Jose Police Officer, Michael Johnson.

Respectfully submitted,

Menominee L. McCarter, Board Assistant  
VTA Office of the Board Secretary