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

1.1. ROLL CALL

<table>
<thead>
<tr>
<th>Attendee Name</th>
<th>Title</th>
<th>Status</th>
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<tbody>
<tr>
<td>Jeannie Bruins</td>
<td>Chairperson</td>
<td>Present</td>
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<tr>
<td>Larry Carr</td>
<td>Board Member</td>
<td>Present</td>
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<tr>
<td>Cindy Chavez</td>
<td>Board Member</td>
<td>Present</td>
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<tr>
<td>David Cortese</td>
<td>Alternate Board Member</td>
<td>Absent</td>
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<tr>
<td>Dev Davis</td>
<td>Alternate Board Member</td>
<td>Present</td>
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<tr>
<td>Lan Diep</td>
<td>Board Member</td>
<td>Present</td>
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<tr>
<td>Daniel Harney</td>
<td>Alternate Board Member</td>
<td>Present</td>
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<tr>
<td>Glenn Hendricks</td>
<td>Board Member</td>
<td>Present</td>
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<tr>
<td>Chappie Jones</td>
<td>Board Member</td>
<td>Present</td>
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<tr>
<td>Johnny Khamis</td>
<td>Board Member</td>
<td>Present</td>
</tr>
<tr>
<td>Sam Liccardo</td>
<td>Vice Chairperson</td>
<td>Absent</td>
</tr>
<tr>
<td>John McAlister</td>
<td>Alternate Board Member</td>
<td>Absent</td>
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<tr>
<td>Bob Nunez</td>
<td>Alternate Board Member</td>
<td>Present</td>
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<tr>
<td>Teresa O’Neill</td>
<td>Board Member</td>
<td>Present</td>
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<tr>
<td>Raul Peraldez</td>
<td>Board Member</td>
<td>Present</td>
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<tr>
<td>Rob Rennie</td>
<td>Alternate Board Member</td>
<td>Present</td>
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<tr>
<td>Savita Vaidhyanathan</td>
<td>Board Member</td>
<td>Present</td>
</tr>
<tr>
<td>Ken Yeager</td>
<td>Board Member</td>
<td>Present</td>
</tr>
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</table>

* Alternates do not serve unless participating as a Member.

A quorum was present.

1.2. Orders of the Day

Chairperson Bruins noted that the meeting would adjourn in memory of retired VTA employees: Benny Cheung, Pamela McLeod, Frank Mijokvic, and Robert Negrete.

Board Member Khamis took his seat at 5:35 p.m.
M/S/C (Chavez/Yeager) to approve the Orders of the Day.

<table>
<thead>
<tr>
<th>RESULT:</th>
<th>APPROVED – Agenda Item #1.2</th>
</tr>
</thead>
<tbody>
<tr>
<td>MOVER:</td>
<td>Cindy Chavez, Board Member</td>
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<tr>
<td>SECONDER:</td>
<td>Ken Yeager, Board Member</td>
</tr>
<tr>
<td>AYES:</td>
<td>Bruins, Carr, Chavez, Diep, Hendricks, Jones, Khamis, O’Neill, Peralez, Vaidhyanathan, Yeager</td>
</tr>
<tr>
<td>NOES:</td>
<td>None</td>
</tr>
<tr>
<td>ABSENT:</td>
<td>Liccardo</td>
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</tbody>
</table>

2. AWARDS AND COMMENDATION

2.1. Employees and Supervisor of the Quarter for the Second (2nd) Quarter of 2017

The Board recognized Norma Kwan, Senior Business Systems Analyst, River Oaks; Peter Sierra, Transit Mechanic, Cerone Maintenance; as Employees of the Second (2nd) Quarter of 2017; and Dawn Wright, Transit Division Supervisor, Chaboya Operations, as Supervisor of the Second (2nd) Quarter of 2017.

Ivan Thomas, Fare Inspector, River Oaks, was unable to attend the meeting and was acknowledged as Employee of the Quarter for the 2nd Quarter of 2017.

2.2. Three Million Miles Safe Driving Award

The Board recognized and presented an award to Ron Langston, Bus Operator at Chaboya Division, for his outstanding performance for driving 3 Million Safe Miles over 36 years.

3. PUBLIC COMMENT

The following Interested Citizens addressed the Board about the discontinuation of Route 181 when BART service begins. They expressed concern that BART will not meet the needs of everyone who uses Route 181:

- Melissa Miller
- Carmen Halstrom
- Jena Trinh

Jeff Lindley, Interested Citizen, made the following comments: 1) expressed concern over eliminating Route 42, a vital line connecting South County to light rail and other lines in San José; 2) provided a suggestion for keeping Route 42 on a limited basis; and 3) suggested implementing a limited service type bus line on Monterey Highway and another connecting the South County to Santa Teresa Boulevard and Santa Teresa Light Rail Station.

NOTE: M/S/C MEANS MOTION SECONDED AND CARRIED AND, UNLESS OTHERWISE INDICATED, THE MOTION PASSED UNANIMOUSLY.
Peter Warner, Interested Citizen, made the following comments: 1) suggested VTA speak with Trainweb about the discontinuation of Route 201; and 2) suggested making Routes 63 and/or 65 into an express route.

Sharmaine Olay, Interested Citizen, commented on the hardship to San José State University (SJSU) students if routes were reduced and/or discontinued, noting their school tuition would also be increased in the fall.

Maria Kim, Interested Citizen, made the following comments: 1) suggested adding the service area to Access’s name to avoid confusion with paratransit service providers elsewhere; 2) expressed concern that there may be conflict with having MV Transportation both be the scheduler and provider of paratransit service; 3) expressed concern about charges when appointments are cancelled; and 4) expressed concern about not being able to make payments or schedule rides on weekends.

James Wightman, Interested Citizen, commented on safety at light rail stations and on trains.

Joyce, Interested Citizen, commented about a petition regarding the proposed transit service redesign, highlighting the following: 1) combining a portion of Bus Line 13 with Bus Line 63; and 2) extending the route for Bus Line 64. Ms. Joyce requested the final Next Network plan be posted online soon and not just before the next Board meeting with a note that changes are not final.

Roland Lebrun, Interested Citizen, commented on the following: 1) the discontinuation of Route 181; 2) many people are unaware of Route 42; and 3) difficulty transferring at Convention Center between light rail lines.

Michael Tsai, Interested Citizen, made the following comments: 1) expressed support for where the Next Network plan is focused; 2) increase communication and public outreach for the Next Network; and 3) encouraged VTA to work with the federal administration on funding public transportation.

Eugene Bradley, Silicon Valley Transit Users, made the following comments: 1) some of the proposed reductions reduce access to colleges and jobs; and 2) invited Director O’Neill to the next Silicon Valley Transit Users meeting.

4. PUBLIC HEARINGS

There were no Public Hearings.

5. COMMITTEE REPORTS

5.1. Citizens Advisory Committee (CAC) Chairperson’s Report

Chairperson Bruins noted that the Citizens Advisory Committee (CAC) Chairperson’s report was contained in the Board Members’ reading folders and placed on the public table.
5.2. **Policy Advisory Committee (PAC) Chairperson’s Report**

Chairperson Bruins noted that the Policy Advisory Committee Chairperson’s report was contained in the Board Members’ reading folders and placed on the public table.

5.3. **Policy Advisory Board Chairpersons’ Report**

There was no Policy Advisory Board Chairpersons’ report.

6. **CONSENT AGENDA**

Board Member Chavez referenced **Agenda Item #6.11: Development Review Annual Report for 2016**, and requested staff provide a report on the framework for addressing expectations as well as the how feedback is integrated into the projects.

6.1. **Board of Directors Regular Meeting Minutes of March 2, 2017**

M/S/C (Chavez/Hendricks) to approve the Board of Directors Regular Meeting Minutes of March 2, 2017.

6.2. **FY17-18 Transportation Development Act (TDA)/State Assistance (STA) Claim**

M/S/C (Chavez/Hendricks) to adopt **Resolution No. 2017.04.14** authorizing the filing of an annual claim to the Metropolitan Transportation Commission (MTC) for allocation of FY 2017-2018 Transportation Development Act (TDA) and State Transit Assistance (STA) funds.

6.3. **Rapid 523 Improvements**

M/S/C (Chavez/Hendricks) to authorize the General Manager to execute a contract with Sposeto Engineering, Inc., the lowest responsible bidder, in the amount of $1,730,247 for the construction of the Rapid 523 Bus Stop Improvements.

6.4. **Appoint Sales Tax Audit Consultant**

M/S/C (Chavez/Hendricks) to authorize the General Manager to execute a contract with MuniServices, LLC, for a five-year term, plus two optional one year extensions to provide sales tax reporting, forecasting and audit/recovery services. Fees for sales tax reporting and forecasting services shall not exceed $250,000 in total over the seven year life of the contract. Separate from the limit on reporting and forecasting fees, the audit/recovery fees will be paid additionally on a contingent basis at a rate of 20% of the sales tax revenues recovered by MuniServices.
6.5. **One Bay Area Grant Status and Reprogramming**

M/S/C (Chavez/Hendricks) to approve the following actions regarding One Bay Area Grant (OBAG) Cycle 1 Program of Projects:

- Reprogram $3,440,000 from the City of Sunnyvale’s project East and West Channel Multi-Use Trails to the City of Milpitas’ project Montague Expressway Pedestrian Bridge at Milpitas BART.

- Reprogram $223,065 between the Duane Avenue Roadway and the Maude Avenue Bikeway and Streetscape projects for the City of Sunnyvale.

- Reprogram $550,928 between the San Tomas Expressway Box Culvert and the Capitol Expressway ITS and Bike/Pedestrian Improvement projects for the County of Santa Clara.

- Re-scope the City of San Jose’s project Downtown Bike Lanes and De-couple to allow the City to use the $1,500,000 OBAG 1 grant for construction of pedestrian safety improvements, subject to the conditions specified in this memorandum.

6.6. **Vehicle Emissions Reductions Based at Schools Evaluation Criteria**

M/S/C (Chavez/Hendricks) to approve the revised evaluation criteria and procedures for selecting projects and awarding Vehicle Emissions Reductions Based at Schools (VERBS) Program grants.

6.7. **Amend FY 2017 Internal Audit Work Plan**

M/S/C (Chavez/Hendricks) to approve amending the FY 2017 Internal Audit Work Plan to defer one project to the next fiscal year due to VTA’s revised project timeline and replace it with a new high-priority project.

6.8. **Legislative Update Matrix**

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


6.10. **Transit Service Changes - April 10, 2017**

M/S/C (Chavez/Hendricks) to receive a report on the April 10, 2017 Transit Service Changes.


RESULT: APPROVED – Consent Agenda Items #6.1-6.11
MOVER: Cindy Chavez, Board Member
SECONDER: Glenn Hendricks, Board Member
AYES: Bruins, Carr, Chavez, Diep, Hendricks, Jones, Khamis, O’Neill, Peralez, Vaidhyanathan, Yeager
NOES: None
ABSENT: Liccardo

7. REGULAR AGENDA

Administration and Finance Committee

Board Members Chavez and Khamis noted they will recuse themselves from this item and left their seats at 6:06 p.m.

7.1. Selection of a Developer for Tamien Joint Development Negotiations


Public Comment

Alex Sanchez, Executive Vice President at ROEM Development Corp., made the following comments: 1) ROEM’s proposal was designed to provide transit oriented development and housing; 2) ROEM’s proposal was to build the garage first and housing second; 3) lack of developer competition in the RFP process; and 4) requested VTA reissue the RFP with requirements for a viable location with quality development.

Tony Mirenda, Blach/Cahill Construction Company, made the following comments: 1) the community workforce agreement provides the opportunity to employ local people who will directly benefit from the development; and 2) training and employing people for the future of the construction industry.
Paul Ring, Vice President of Development at The Core Companies, commented on the following: 1) honored to be selected by the evaluation panel and recommended by staff; 2) complemented staff on the RFP process; and 3) noted The Core Companies’ specialty in working with the community, public agencies, and private markets.

Louise Auerhahn, Working Partnerships USA, commented on the following: 1) this project is building the model for future joint development; 2) prioritizing the community workforce component; and 3) leveraging affordable housing through outside funding sources.

The following Interested Citizens advocated for additional affordable housing units than proposed by Tamien Republic in the Tamien Joint Development project:

- Dana Huang
- Mei-Mei Chang
- Micah Schertle
- Michael Huang
- Angela Schertle
- Brett Bymaster

Omar Chatty, Interested Citizen, made the following comments: 1) the lack of affordable housing; 2) inadequate parking; and 3) encouraged VTA to be realistic with transit oriented development.

Josué Garcia, Building Trades Council, made the following comments: 1) expressed support for the staff recommendation; and 2) endorsed Blach/Cahill Construction Company as a general contractor who will be able to provide good paying jobs with benefits from the community.

Mr. Tsai commented on the following: 1) Blach/Cahill Construction Company is competent and treats their employees fairly and offers benefits; and 2) the Bay Area is in a housing crisis and more affordable and market rate housing is needed.

Members of the Board and staff discussed the following: 1) working with the current child care provider, Bright Horizons; 2) balancing the number of affordable housing units with revenue for VTA; 3) availability of parking for residents and the public riding transit; 4) negotiation process; and 5) protecting VTA’s interests through clear milestones for the developer to meet during contract negotiations.

Board Member Yeager referenced the West San Carlos Joint Development and expressed concern about past history with Green Republic. He urged staff to protect VTA’s interests during the negotiations with the current joint development.
M/S/C (Peralez/Jones) on vote of 8 ayes to 1 no to 2 recusals to authorize the General Manager to enter into an Exclusive Negotiations Agreement (ENA) with Republic Tamien LLC (a Joint Venture of Republic Urban Properties and The Core Companies) for negotiation of the proposed terms and conditions of a Joint Development Agreement for a Joint Development project at the Tamien Station. If agreement cannot be reached with Republic Tamien LLC during the ENA term, authorize the General Manager to enter into an ENA with ROEM Development Corporation. Further, directed staff to: a) strive for 30% affordable housing through the use of creative ideas; and b) include community workforce agreements as part of the agreement. Board Members Khamis and Chavez recused. Board Member Yeager opposed.

RESULT: ADOPTED AS AMENDED – Agenda Item #7.1
MOVER: Raul Peralez, Board Member
SECONDER: Chappie Jones, Board Member
AYES: Bruins, Carr, Diep, Hendricks, Jones, O’Neill, Peralez, Vaidhyanathan
NOES: Yeager
ABSENT: Liccardo
RECUSED: Chavez, Khamis

Board Members Chavez and Khamis took their seats at 7:48 p.m.

8. OTHER ITEMS

8.1. General Manager Report

Nuria I. Fernandez, General Manager, provided a brief report, including the following:

- The BART Warm Springs station opened to passengers on March 25, 2017 with a Ribbon Cutting Ceremony the day before. Chairperson Bruins and Board Member Hendricks attended the Ribbon Cutting ceremony;

- VTA was awarded the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association of the United States and Canada (GFOA) for its Comprehensive Annual Financial Report (CAFR), noting this is the 21st time VTA received this certificate of achievement;

- Noted the key takeaways from the LA Metro Open Streets study tour, which includes: 1) open street events can boost the bike culture, which may have many positive impacts; 2) key to successful open street events is to partner with organizations and communities before the event; 3) open street events can help increase ridership; and 4) open streets
events boost business along the route. Board Member Yeager attended the study tour as well.

- Sales tax, fare revenue, and ridership update, highlighting the following: 1) sales tax was budgeted for 4.5% growth over FY 16 and FY 17; actual growth is projected to be lower by 2.4% due to declines in business to business, construction, and transportation categories; 2) this year’s projected revenues are lower by 19.2% compared to budget and lower by 10.9% compared to FY16’s revenues; and 3) FY17 ridership is lower by 19.6% compared to budget and 11.9% compared to last year;

- Other factors affecting ridership are: 1) ridesharing services and corporate buses; 2) recent transit oriented developments; 3) households have more cars; 4) service standards are not being met on the most popular routes; and 5) modal shift from bus and rail to cars;

- Provided an update on VTA’s Next Network process, noting staff completed the review of the public comments and is working diligently to complete the final draft of the Transit Service Plan. The VTA Advisory Committees are scheduled to review the document next week and the Board Standing Committees will review it the following week; and

- Ridership and Safety & Security statistics are included in Board Members’ reading folders and placed on the public table.

Public Comment

Mr. Bradley commented that first/last mile is an issue and people want to arrive at their destination efficiently, meaning Uber or Lyft are more convenient.

8.1.A. Government Affairs Update

Jim Lawson, Director of Government Affairs and Public Relations, provided a brief report, highlighting the following: 1) the Trump Administration’s “Skinny Budget” Cuts Infrastructure Investment Proposal; 2) California Senate Bill 1, approved by the Senate and is currently being considered by the Assembly, will provide $5 billion in transportation funding, through a gas tax of $0.12 per gallon, a diesel tax of $0.20 per gallon, and increasing vehicle registration fees; and 3) the Court of Appeals ruled in favor of the State of California against Chamber of Commerce in a cap and trade case.

Alternate Board Member Davis arrived and took her seat at 8:09 p.m.
Board Member Diep left his seat at 8:10 p.m.
Public Comment

Mr. Chatty made the following comments: 1) cars help lower income people get and keep jobs; 2) the “Skinny Budget” does not fund light rail or subway locally affecting BART; and 3) roads can use the money from the State transportation funding for improvements.

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 of Engineering & Transportation Infrastructure Development, provided a presentation entitled “SVRT Program Update,” highlighting the following: 1) Berryessa Extension; 2) Berryessa Extension Project - Summary Schedule to Revenue Service; 3) Berryessa Extension Cost Summary; 4) Dixon Landing Road Underpass; 5) Berryessa Extension Progress; 6) Berryessa Parking Garage; and 7) Phase II Extension Activities.

Discussion ensued about BART car shortage and the impact on service and extension to the South Bay.

Board Member Diep took his seat at 8:18 p.m.

Public Comment

Mr. Wightman inquired about the following: 1) BART testing; and 2) the effective date for Next Network changes.

Ms. Joyce commented on changes regarding the Next Network and the timeline for implementing the changes.

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

8.2. Chairperson’s Report

Chairperson Bruins provided a brief report, highlighting: 1) April 21, 2017, is the deadline to submit applications for the 2016 Measure B Citizens’ Oversight Committee; and 2) the Board Workshop/Special Meeting is Friday, April 21, 2017, at 9:00 a.m. in the County Board Chambers at 70 West Hedding Street.

Board Member Yeager left the meeting at 8:24 p.m.
Public Comment

Mr. Bradley commented on the following: 1) the letter posted on VTA’s website from Chairperson Bruins in response to the article published in the San José Mercury News; and 2) safety for bus and light rail drivers and passengers.

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 Powers Boards (JPB), and Regional Commissions

8.4.A. VTA Standing Committees

- Governance and Audit Committee - The March 2, 2017, Minutes were accepted as contained in the Agenda Packet.

- Congestion Management Program & Planning (CMPP) Committee - The March 16, 2017, Minutes were accepted as contained in the Agenda Packet.

- Administration & Finance (A&F) Committee - The March 16, 2017, Minutes were accepted as contained in the Agenda Packet.

- Safety, Security, and Transit Planning & Operations (SSTP&O) Committee – March 16, 2017, Notice of Cancellation was accepted as contained in the Agenda Packet.

8.4.B. VTA Advisory Committees

- Technical Advisory Committee (TAC) - The March 8, 2017, Minutes were accepted as contained in the Agenda Packet.

- Citizens Advisory Committee (CAC) and 2000 Measure A Citizens Watchdog Committee (CWC) - The March 8, 2017, Minutes were accepted as contained in the Agenda Packet.

- Bicycle & Pedestrian Advisory Committee (BPAC) - The March 8, 2017, Minutes were accepted as contained in the Agenda Packet.

- Committee for Transportation Mobility and Accessibility (CTMA) – March 9, 2017, Notice of Cancellation was accepted as contained in the Agenda Packet.

- Policy Advisory Committee (PAC) - The March 9, 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 – March 22, 2017, Reschedule Meeting Notice was accepted as contained in the Agenda Packet.
   - Diridon Station Joint Policy Advisory Board – March 17, 2017, Notice of Cancellation was accepted as contained in the Agenda Packet.
   - 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 April 6, 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.
   - Sunol SR 152 Mobility Partnership - There was no report.

8.5. ANNOUNCEMENTS

There were no Announcements.

9. CLOSED SESSION

9.1. Recessed to Closed Session at 8:26 p.m.

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

   Name of Case: Cheriel Jensen v. Santa Clara Valley Transportation Authority, et al. (Santa Clara County Superior Court Case No. 17-CV-304960)
B. Conference with Legal Counsel - Anticipated Litigation
   [Government Code Section 54956.9(b)(2), significant exposure to litigation]

   Number of potential cases: 1

C. THREAT TO PUBLIC SERVICES OR FACILITIES
   [Government Code Section 54957(a)]

   Consultation with: Capt. David Lera, Santa Clara County Office of the Sheriff

9.2. Reconvened to Open Session at 9:03 p.m.

9.3. Closed Session Report

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

   Name of Case: Cheriel Jensen v. Santa Clara Valley Transportation Authority, et al. (Santa Clara County Superior Court Case No. 17-CV-304960)

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

B. Conference with Legal Counsel - Anticipated Litigation
   [Government Code Section 54956.9(b)(2), significant exposure to litigation]

   Number of potential cases: 1

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

C. THREAT TO PUBLIC SERVICES OR FACILITIES
   [Government Code Section 54957(a)]

   Consultation with: Capt. David Lera, Santa Clara County Office of the Sheriff

   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 in memory of VTA Retirees Benny Cheung, Pamela McLeod, Frank Mijokvic, and Robert Negrete at 9:04 p.m.

Respectfully submitted,

Thalia Young, Board Assistant
VTA Office of the Board Secretary