SANTA CLARA
Valley Transportation Authority

BOARD OF DIRECTORS MEETING

Thursday, September 3, 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	Board Member	Present
Larry Carr	Alternate Board Member	Absent
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	Present
Ash Kalra	Board Member	Present
Johnny Khamis	Board Member	Present
Sam Liccardo	Board Member	Present
Jamie Matthews	Alternate Board Member	Absent
Howard Miller	Alternate Board Member	Present
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 noted the following Agenda Item would be removed from the Agenda: **Agenda Item 5.4.A.,** Receive a Report from the Silicon Valley Leadership Group (SVLG).

Chairperson Woodward noted staff's request to remove the following item from the Agenda: **Agenda Item 6.3.,** Purchase 90 standard forty foot hybrid buses and 10 express hybrid buses.

Chairperson Woodward noted staff's request to hear the following Agenda Items together: 1) **Agenda Item 7.1.,** CalPERS Medical Resolutions for SEIU, Local 521; 2) **Agenda Item 7.2.,** ICMA Retirement Health Savings (RHS) Plan Agreements for SEIU Employees; and 3) **Agenda Item 7.3.,** CalPERS Medical Resolutions for Non-Represented Groups.

Chairperson Woodward indicated the Governance and Audit Committee approved the following Agenda Items at their September 3, 2015, Committee meeting and requested they be removed from the Regular Agenda and placed on the Consent Agenda: 1) **Agenda Item 7.5.,** Board Standing Committee and Board Ad Hoc Committee Appointments; 2) **Agenda Item 7.6.,** State Route 85 Corridor Policy Advisory Board Appointments; and 3) **Agenda Item 7.7.,** El Camino Real Rapid Transit Policy Advisory Board Appointments.

Chairperson Woodward noted the meeting would be adjourned in memory of VTA employees Charlotte Beebe and Rodil Tampol.

Board Member Khamis expressed his objection to one of the appointments on the State Route 85 Corridor PAB and requested the item remain on the Regular Agenda.

Board Member Liccardo recused himself from Agenda Items **6.3** and **6.8 - 6.13**.

Member Chavez requested **Agenda Item 6.12**., South Bay Transit Associates Amendment Contract for Program and Construction Management Services, and similar items for this type of work be heard by the Administration and Finance Committee to better understand the difference between consultants being added versus staff being added.

Public Comment

Roland Lebrun, Interested Citizen, expressed concern with contract employees from Hatch Mott MacDonald working on VTA premises for extended periods of time not being made regular employees.

M/S/C (Chavez/Herrera) to accept the Orders of the Day, and approve the Consent Agenda, as amended. Board Member Liccardo recused himself from Consent **Agenda Items 6.3** and **6.8 – 6.13**.

RESULT:	**APPROVED [UNANIMOUS]** **(Orders of the Day, Consent Agenda Items #: 6.1-6.7; 6.14-6.23)**
MOVER:	Cindy Chavez, Board Member
SECONDER:	Rose Herrera, Board Member
AYES:	Baker, Chavez, Esteves, Herrera, Kalra, Khamis, Liccardo, Whittum, Woodward, Yeager
NOES:	None
ABSENT:	Bruins, Carrasco

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

RESULT:	**APPROVED** **(Consent Agenda Items #: 6.8-6.13)**
MOVER:	Cindy Chavez, Board Member
SECONDER:	Rose Herrera, Board Member
AYES:	Baker, Chavez, Esteves, Herrera, Kalra, Khamis, Whittum, Woodward, Yeager
NOES:	None
ABSENT:	Bruins, Carrasco
RECUSED:	Liccardo

The Agenda was taken out of order.

7. REGULAR AGENDA

Governance and Audit Committee

7.6. State Route 85 Corridor Policy Advisory Board Appointments

Board Member Khamis expressed concern with one of the appointees noting he was not confident with putting this appointee in a position to be a spokesperson for VTA.

Board Member Baker noted the City of Campbell appointed Paul Resnikoff as the Regular Member and Elizabeth Gibbons as the Alternate Member and requested their names be added.

M/S/C (Baker/Liccardo) on a vote of 9 ayes, 1 No, 0 abstentions to approve the appointments to the State Route 85 Corridor Policy Advisory Board with the addition of Paul Resnikoff as the regular member representing the City of Campbell and Elizabeth Gibbons as his alternate. Board Member Khamis opposed.

RESULT:	**APPROVED** **(Agenda Item #7.6)**
MOVER:	Jason Baker, Board Member
SECONDER:	Sam Liccardo, Board Member
AYES:	Baker, Chavez, Esteves, Herrera, Kalra, Whittum, Woodward, Yeager
NOES:	Khamis
ABSENT:	Bruins, Carrasco

2. AWARDS AND COMMENDATION

There were no Awards and Commendations.

3. PUBLIC COMMENT

Omar Chatty, Interested Citizen, expressed concern with traffic incidents and freeway shutdowns and expressed support for BART around the Bay.

Board Member Bruins arrived at the meeting and took her seat at 5:41 p.m.

Mr. Lebrun expressed concern with parking at the Tamien Station and suggested opening the blocked off area to allow more parking capacity.

4. PUBLIC HEARINGS

4.1. HEARING - NOTICE OF INTENTION TO ADOPT RESOLUTION OF NECESSITY

Bijal Patel, Deputy Director of Real Estate, provided a brief background and a presentation of the Resolution of Necessity, highlighting project needs.

Board Member Carrasco arrived at the meeting and took her seat at 5:46 p.m.

Public Comment

There was no public comment.

M/S/C (Chavez/Herrera) to close the public hearing.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Chavez, Board Member
SECONDER:	Herrera, Board Member
AYES:	Baker, Bruins, Carrasco, Chavez, Esteves, Herrera, Kalra, Khamis, Liccardo, Whittum, Woodward, Yeager
NOES:	None
ABSENT:	None

M/S/C (Herrera/Baker) to adopt **Resolution of Necessity No. 2015.09.24 and Resolution of Necessity No. 2015.09.25** determining that the public interest and necessity require the acquisition of property interests in two properties owned by: (1) Jatinder M. Mahajan, located in Milpitas, California; and (2) James Chung and Moon Chung, located in Milpitas, California, for the BART Silicon Valley Berryessa Extension (SVBX) Project.

Property ID/Assessor's Parcel Number/Owner

B2255 (APN 092-08-092) owned by Jatinder M. Mahajan

Property ID/Assessor's Parcel Number/Owner

B2256 (APN 092-08-057) owned by James Chung and Moon Chung

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Herrera, Board Member
SECONDER:	Baker, Board Member
AYES:	Baker, Bruins, Carrasco, Chavez, Esteves, Herrera, Kalra, Khamis, Liccardo, Whittum, Woodward, Yeager
NOES:	None
ABSENT:	None

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) Chairperson's report.

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

Chairperson Woodward noted the Policy Advisory Committee (PAC) report was contained on the dais and the public table.

5.3. General Manager's Report

Nuria I. Fernandez, General Manager, provided a report, highlighting:

- VTA was selected by American Public Transportation Association (APTA) to receive two First Place Adwheel Awards for the 2014 Annual Report and for the fully wrapped and lit holiday train. VTA will be recognized at an award ceremony on October 5, 2015, during APTA's 2015 Annual Meeting and is in the running for the grand prize.

- VTA was awarded the Ladders of Opportunities grant and is putting together an outreach and training program for underserved, underemployed, minority or female students to prepare them for careers in transportation.

- Congratulated Michael Hursh, Chief Operating Officer, for being selected to serve as the new General Manager for AC Transit beginning September 21, 2015.

- Announced Jim Unites, Deputy Director, Operations will serve as the Project Manager for Super Bowl 50.

- September 15 - October 15, 2015, VTA will be celebrating Latino Heritage Month and will host a luncheon on September 23, 2015.

- Reopening of the Montague Light Rail Station.

- VTA hosted public scoping meeting in the City of Sunnyvale for the Mathilda Avenue Improvements at SR 237 and US 101 project.

Board Member Whittum thanked staff for attending the Mathilda Avenue meeting and for their work on the project.

5.3.A Government Affairs Update

Kurt Evans, Government Affairs Manager, provided an update on Government Affairs, highlighting the state's transportation special session and the emerging transportation funding package that is being proposed.

Members of the Board discussed the following: 1) allocation for local streets and roads for Santa Clara County; 2) Republican support; and 3) electric vehicle fee.

5.3.B. Transit Ridership Improvement Plan

Chris Augenstein, Deputy Director, provided a brief report and overview of the Transit Ridership Improvement Plan (TRIP). He introduced Adam Burger, Senior Transportation Planner, who provided a presentation, highlighting: 1) Changing our approach; 2) Transit network design guidance; 3) Jarrett Walker and Associates; and 4) Project timeline.

Members of the Board discussed the following: 1) how this is different from the Comprehensive Operations Analysis; 2) expectations of the Board; 3) what staff will be providing; and 4) getting the Board involved with planning.

Ms. Fernandez assured the Board that staff will gather input from the Board and the public throughout this process.

5.3.C. Silicon Valley Rapid Transit (SVRT) Program Update

Ms. Fernandez indicated the SVRT Program Update was located in the Agenda packet.

Ms. Fernandez concluded her report and shared news of VTA BART project's selection by the readers of the Milpitas Post as being one of the best projects in Milpitas, and is an example of good government spending.

Public Comment
Mr. Chatty expressed support for TRIP, mixed flow lanes, and BART around the Bay. He questioned if SR 87 corridor is appropriate for light rail.

5.4. Chairperson's Report

Chairperson Woodward announced the Board Workshop on September 25, 2015, at the VTA River Oaks campus in the Auditorium.

5.4.A. (Removed from the Agenda)

Receive an update from the Silicon Valley Leadership Group (SVLG)

6. CONSENT AGENDA

6.1. Board of Directors Meeting Minutes of August 6, 2015

M/S/C (Chavez/Herrera) to approve the Board of Directors Meeting Minutes of August 6, 2015.

6.2. VTA Transit Fund Operating Reserve

M/S/C (Chavez/Herrera) to approve the allocation of $3.11 million to the VTA Transit Fund Operating Reserve in order to maintain a reserve equal to 15% of the annual operating budget.

6.3. (Removed from the Agenda)

Authorize the General Manager to exercise the option to purchase 90 standard forty foot hybrid buses and 10 express hybrid buses from Gillig LLC at a cost not to exceed $71,009,100. Board Member Liccardo recused himself.

6.4. Competitive Negotiation for 40' Low Floor Bus Procurement

M/S/C (Chavez/Herrera) to adopt **Resolution No. 2015.09.26** upon a two-thirds vote of the Board of Directors finding that a competitive sealed bid process does not constitute a method of procurement adequate for VTA's needs and directing the use of competitive negotiation for the purchase of up to 25 low-floor hybrid diesel-electric buses up to 43 foot in length with an option for additional hybrid diesel-electric buses for VTA's service, as required by Public Contract Code Sections 20216 and 20217. **Motion approved by 9 Board Members.**

6.5. Competitive Negotiation for 60' Articulated Bus Procurement

M/S/C (Chavez/Herrera) to adopt **Resolution No. 2015.09.27** upon a two-thirds vote of the Board of Directors finding that a competitive sealed bid process does not constitute a method of procurement adequate for VTA's needs and directing the use of competitive negotiation for the purchase of up to 55 sixty foot low-floor articulated buses for VTA's service, as required by Public Contract Code Sections 20216 and 20217. **Motion approved by 9 Board Members.**

6.6. Altamont Corridor Express (ACE) Shuttle Service Contract

M/S/C (Chavez/Herrera) to authorize the General Manager to execute a five-year agreement with El Paseo Limousine (El Paseo) to provide Altamont Corridor Express (ACE) shuttle bus services in an amount not to exceed $8,676,272 with options for two additional one-year renewal periods with escalation rates not to exceed the increase in the San Francisco Bay Area Consumer Price Index.

6.7. Express Eco Pass Reimbursement Increase for the Dumbarton Express

M/S/C (Chavez/Herrera) to authorize the General Manager to amend the Memorandum of Understanding (MOU) with Alameda-Contra Costa Transit District (AC Transit) to increase Santa Clara Valley Transportation Authority's (VTA) Express Eco Pass contribution from $1.50 to $2.10 for each passenger who uses an Express Eco Pass on the Dumbarton (DB) Express service.

6.8. Replace Heating Ventilation Air Conditioning (HVAC) units and upgrade Energy Management Systems (EMS) at River Oaks

M/S/C (Chavez/Herrera) on a vote of 9 ayes, 0 Noes, 0 abstentions, 1 recusal to authorize the General Manager to execute a contract with Air Systems Incorporated in the amount of $1,250,265 for the replacement of twenty-eight (28) Heating Ventilation Air Conditioning (HVAC) units, the associated Energy Management Systems (EMS), and the needed natural gas piping at the River Oaks Administrative Division. Board Member Liccardo recused.

6.9. Procurement for Light Rail Vehicle Gear Box Overhaul Project

M/S/C (Chavez/Herrera) on a vote of 9 ayes, 0 Noes, 0 abstentions, 1 recusal to authorize the General Manager to execute a sole source contract with Voith, Inc., in the amount up to $838,191 to procure the light rail vehicle gear box and gear box suspension system components. Board Member Liccardo recused.

6.10. Procurement for Light Rail Vehicle Brake Component Project

M/S/C (Chavez/Herrera) on a vote of 9 ayes, 0 Noes, 0 abstentions, 1 recusal to authorize the General Manager to execute a sole source contract with Knorr, Inc., in the amount up to $1,407,770 to procure the light rail vehicle brake components as part of a three-year mid-life light rail vehicle overhaul program. Board Member Liccardo recused.

6.11. Light Rail Vehicle Gate Driver Firing Board Procurement

M/S/C (Chavez/Herrera) on a vote of 9 ayes, 0 Noes, 0 abstentions, 1 recusal to authorize the General Manager to execute a sole source contract with PSI Repair Services, Inc. in the amount up to $1,909,040 to supply firing control boards required to refurbish VTA's Onix Propulsion System in use on VTA's existing light rail vehicles. Board Member Liccardo recused.

6.12. South Bay Transit Associates Amendment Contract for Program and Construction Management Services

M/S/C (Chavez/Herrera) on a vote of 9 ayes, 0 Noes, 0 abstentions, 1 recusal to authorize the General Manager to execute a contract amendment with South Bay Transportation Associates for program and construction management services, extending the contract term through December 31, 2016 and increasing the approved contract amount by $9.0 million for a new contract amount not to exceed $80.7 million. Board Member Liccardo recused.

6.13. LRT Efficiency Project – Mountain View Double Track Phase I Construction Contract Amendment with Shimmick Construction

M/S/C (Chavez/Herrera) on a vote of 9 ayes, 0 Noes, 0 abstentions, 1 recusal to authorize the General Manager to amend the contract with Shimmick Construction, in the amount of $2,740,000 for construction of the LRT Efficiency Project - Mountain View Double Track Phase I. Board Member Liccardo recused.

6.14. Vehicle Registration Fee Countywide Fund Programming

M/S/C (Chavez/Herrera) to approve the programming of an additional $15,000 of Countywide Program Intelligent Transportation System (ITS) funds to the City of Campbell's Hamilton & Bascom Avenue project and the transfer of $10,984 between two of the County of Santa Clara's ITS projects.

6.15. Bill Positions: Transportation Special Session Legislation

M/S/C (Chavez/Herrera) to adopt a support position for SBX1-1 (Beall), which proposes to generate between $4 billion-$5 billion a year in new transportation revenues through a combination of funding sources to begin addressing the significant backlog of maintenance and rehabilitation projects on the state highway and local roadway systems. Adopt support positions for ABX1-7 (Nazarian) and SBX1-8 (Hill), which increase the percentage of cap-and-trade auction proceeds that would be continuously appropriated for public transit, and direct staff to seek amendments to these two bills related to the Transit and Intercity Rail Capital Program. Finally, adopt support positions for ABX1-8 (Chiu) and SBX1-7 (Allen), which increase the sales tax rate for diesel fuel to provide more funding for the State Transit Assistance Program (STA).

6.16. Legislative Update Matrix

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

6.17. Dynamic Transit Service Pilot

M/S/C (Chavez/Herrera) to receive an update on the Dynamic Transit Service Pilot.

6.18. Monthly Investment Report for June 2015

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

6.19. Development Review Quarterly Report for April to June 2015

M/S/C (Chavez/Herrera) to receive the Development Review Quarterly Report for April to June 2015.

6.20. Proposed Design Guidelines for Bike Lanes at Bus Stops

M/S/C (Chavez/Herrera) to receive a report on the Proposed Design Guidelines for Bike Lanes at Bus Stops.

6.21. Transit Passenger Environment Plan

M/S/C (Chavez/Herrera) to receive the Transit Passenger Environment Plan.

6.22. VTP Highway Program Semi-Annual Report Ending April 30, 2015

M/S/C (Chavez/Herrera) to receive the VTP Highway Program Semi-Annual Report Ending April 30, 2015.

6.23. Transit Capital Projects Semi-Annual Report Ending March 31, 2015

M/S/C (Chavez/Herrera) to receive the Transit Capital Projects Semi-Annual Report Ending March 31, 2015.

7.5. Board Standing Committee and Board Ad Hoc Committee Appointments

M/S/C (Chavez/Herrera) to approve changes to 2015 Board Standing Committee and Board Ad Hoc Committee appointments.

7.7. El Camino Real Rapid Transit Policy Advisory Board Appointments

M/S/C (Chavez/Herrera) to approve the appointments to the El Camino Real Rapid Transit Policy Advisory Board.

7. REGULAR AGENDA (continued)

Administration and Finance Committee

Board Member Baker introduced the items that were heard at the Administration and Finance August 20, 2015, Committee meeting and noted that Agenda Items #7.1 through #7.3 will be heard together.

Board Members Chavez and Kalra left their seat at 6:16 p.m.

Agenda Items #7.1 to #7.3

7.1. CalPERS Medical Resolutions for SEIU, Local 521

7.2. ICMA Retirement Health Savings (RHS) Plan Agreements for SEIU Employees

7.3. CalPers Medical Resolutions for Non-Represented Groups

Sylvester Fadal, Deputy Director, Human Resources and Diversity Programs, provided a brief overview of the staff report and a brief presentation highlighting: 1) Background; 2) VTA health care cost savings; 3) Rescind ICMA Health Savings Account for SEIU; and 4) Non-Represented employees and retirees.

M/S/C (Herrera/Baker) to adopt the following Resolutions adopting CalPERS Medical for employees and retirees represented by Service Employees International Union (SEIU), Local 521, effective January 1, 2016.

1. SEIU (CalPERS) **Resolution No. 2015.09.28**.
2. SEIU Survivor **Resolution No. 2015.09.29** (CalPERS) - for Survivors of SEIU retirees.
3. SEIU (non-CalPERS) **Resolution No. 2015.09.30** - for SEIU employees who do not have five years of CalPERS service time but qualify for retiree medical based on VTA/ATU pension retirement service and total VTA years of service.
4. SEIU Survivor **Resolution No. 2015.09.31** (non-CalPERS) - for Survivors of SEIU employees who did not have five years of CalPERS service time

but qualify for retiree medical based on VTA/ATU pension retirement and total VTA years of service.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Herrera, Board Member
SECONDER:	Baker, Board Member
AYES:	Baker, Bruins, Carrasco, Esteves, Herrera, Khamis, Liccardo, Whittum, Woodward, Yeager
NOES:	None
ABSENT:	Chavez, Kalra

M/S/C (Herrera/Baker) to rescind the ICMA Retirement Health Savings (RHS) Plan Number 803314 for employees represented by SEIU, Local 521 who are converting to CalPERS Medical plans effective January 1, 2016. (Resolution No. 2012.01.11)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Herrera, Board Member
SECONDER:	Baker, Board Member
AYES:	Baker, Bruins, Carrasco, Esteves, Herrera, Khamis, Liccardo, Whittum, Woodward, Yeager
NOES:	None
ABSENT:	Chavez, Kalra

M/S/C (Herrera/Baker) to adopt the following Resolutions for CalPERS Medical for Non-Represented employees and retirees, effective January 1, 2016.

1. Non-Represented (CalPERS) **Resolution No. 2015.09.32**
2. Non-Represented (non-CalPERS) **Resolution No. 2015.09.33** - for Non-Represented employees who do not have five years of CalPERS service time but qualify for retiree medical based on VTA/ATU pension retirement service and total VTA years of service.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Herrera, Board Member
SECONDER:	Baker, Board Member
AYES:	Baker, Bruins, Carrasco, Esteves, Herrera, Khamis, Liccardo, Whittum, Woodward, Yeager
NOES:	None
ABSENT:	Chavez, Kalra

Board Member Kalra took his seat at 6:22 p.m.

Ad Hoc Committee – Envision Silicon Valley

Board Member Woodward introduced the item which was heard at the August 27, 2015, Ad Hoc Committee - Envision Silicon Valley (ESV) meeting.

7.4. Envision Silicon Valley Evaluation Criteria

John Ristow, Director of Planning and Program Development, provided a brief overview of the staff report and a presentation highlighting: 1) Process; 2) Participants; 3) Summary of recent input; 4) Goals; 5) Evaluation criteria; 6) Individual project evaluation process; and 7) Next steps.

Public Comment

The following speakers expressed support for the ESV evaluation criteria and provided the following feedback and suggestions:

Kelly Snider, SPUR, suggested focusing on an integrated highly usable transit network, looking at ways to lessen wait times, and ensuring the plans benefit most people.

Bena Chang, Silicon Valley Leadership Group (SVLG), noted the need for strong voter support and reiterated the importance of including farebox recovery ratio as a metric.

Chris Lepe, TRANSFORM, suggested improvements in increasing frequency of bus network. He also suggested several metrics including, reducing transit travel delay and wait times, focusing on greenhouse gas emissions reduction and providing more emphasis in certain areas.

Chairperson Woodward indicated the SPUR and SVLG letters were in the reading folders and on the public table.

Charisse Ma Lebron, Working Partnerships, suggested adding a metric to reduce transit travel delay and waiting times, increase the percentage of low-income households with accessibility to high frequency transit stops and increase ridership per dollar spent on service delivery.

Upon inquiry of Board Member Bruins, Ms. Ma Lebron indicated the needs of low-income, people of color and transit dependent populations should be addressed.

Andrew Boone, Interested Citizen, expressed concern about highway system expansion and suggested the following: 1) improving the bus network, 2) service frequency and 3) having a transit only tax measure.

Adina Levin, Friends of Caltrain, reiterated support for improving the rider experience by minimizing rider wait time, addressing first and last mile connection, increasing service frequency, and transfer synchronization. She suggested adding a metric to increase the number of people who have access to high frequency transit routes.

Mr. Lebrun noted additional feedback from the survey needs to be received to hear what the public thinks, and suggested the top priorities be light rail, improving service and travel times, and relieving roadway bottlenecks.

Mr. Chatty suggested expanding roadways as well as transit.

Members of the Board discussed the following: 1) decreasing transit wait times; 2) experience while passengers wait; 3) reduced emissions; 4) improved farebox recovery and pricing; 5) clarification of items for public; 6) balance of different project types; 7) balancing spending geographically; 8) possibility of waiting to move forward with the criteria; 9) analysis of projects under all criteria; 10) simplifying and reducing the number of criteria; 11) meeting demand; 12) congestion relief; 13) first and last mile gaps; 14) addressing roadways as well as transit; 15) timeline for ballot measure; 16) listening to voters; 17) magnitude of the projects; 18) ways to measure the projects; 18) ballot measure funds versus amount for projects submitted; and 19) distance to transit.

Board Member Whittum suggested referring the item back to the Congestion Management Program and Planning (CMPP) Committee for discussion and bringing it back to the Board for approval.

Board Member Kalra expressed appreciation of the work by staff and Committee and made a motion to adopt the criteria with the following additions: 1) Reduce transit travel delays as a quantitative criteria for this goal: provide congestion relief and improve transportation efficiency; 2) Update the criteria to read, "Enhance pedestrian/bike/transit realm including connectivity and access"; and 3) Increase ridership per every dollar spent as a quantitative criteria for this goal: continue to support Silicon Valley's Economic Vitality. Board Member Yeager seconded the motion.

Board Member Bruins expressed support of the three amendments and proposed testing the criteria versus debating it.

Mr. Ristow noted staff received about 400 projects and will use quantitative tools such as the travel demand model. He further explained not all projects will apply to each criterion and the Board will have the ultimate decision.

Board Member Liccardo expressed concern with the amount of criteria and redundancy and suggested staff simplify to reduce the burden and improve the decision making.

Board Member Baker noted support of amendments made by Board Member Kalra and the suggestion made by Board Member Bruins for staff to review several projects and provide a sample of the outcome to the Ad Hoc Committee - ESV.

Board Member Herrera noted the importance of the process and recommended the item go to the CMPP.

Board Member Whittum noted his support of the motion with the inclusion of distance of travel within a half mile of service and going back to CMPP.

Board Member Kalra supported staff going through the criteria with several projects and reporting back, but suggested moving it forward and giving a representative sample to the Ad Hoc Committee at its September 24, 2015 meeting.

Upon inquiry of Board Member Bruins, Board Member Kalra provided clarification and restated the motion.

Chairperson Woodward noted the motion includes amendments made by Board Member Kalra with a report back to the Ad Hoc Committee - ESV and the Board.

M/S/C (Kalra/Yeager) on a vote of 9 ayes, 2 noes, 0 abstentions to adopt the Evaluation Criteria for Envision Silicon Valley with the following amendments: 1) Add "Reduce transit travel delays" as a quantitative criteria for this goal: provide congestion relief and improve transportation efficiency; 2) Update the criteria to read, "Enhance pedestrian/bike/transit realm including connectivity and access;" and 3) Add "Increase ridership per every dollar spent" as a quantitative criteria for this goal: continue to support Silicon Valley's Economic Vitality. Staff will test the criteria and report back to the Ad Hoc ESV and the Board. Board Members Esteves and Whittum opposed.

RESULT:	**APPROVED**
MOVER:	Kalra, Board Member
SECONDER:	Yeager, Board Member
AYES:	Baker, Bruins, Carrasco, Herrera, Kalra, Khamis, Liccardo, Woodward, Yeager
NOES:	Esteves, Whittum
ABSENT:	Chavez

Governance and Audit Committee

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

Approve changes to 2015 Board Standing Committee and Board Ad Hoc Committee appointments.

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

Approve the appointments to the El Camino Real Rapid Transit Policy Advisory Board.

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.

Public Comment

Mr. Lebrun expressed concern with Caltrain using farebox recovery to pay for capital projects and suggested VTA reach out to help them.

8.2.A. VTA Standing Committees

- Silicon Valley Rapid Transit Program Working Committee (SVRT PWC) – The August 3, 2015, Minutes were accepted as contained in the Agenda packet.

- Governance and Audit Committee – The August 6, 2015, Notice of Cancellation was accepted as contained in the Agenda Packet.

- Transit Planning & Operations (TP&O) Committee – The August 19, 2015 Minutes were accepted as contained on the dais.

- Congestion Management Program & Planning (CMPP) Committee – There was no report.

- Administration & Finance (A&F) Committee – The August 20, 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 August 12, 2015, Minutes were accepted as contained on the dais.

- Bicycle & Pedestrian Advisory Committee (BPAC) – The August 12, 2015, Minutes were accepted as contained in the Agenda Packet.

- Technical Advisory Committee (TAC) – The August 13, 2015, Minutes were accepted as contained in the Agenda Packet.

- Policy Advisory Committee (PAC) – The August 13, 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.

8.2.D. Joint Powers Boards and Regional Commissions

- Peninsula Corridor JPB – The September 3, 2015 Summary Notes were accepted as contained on the dais.
- Capitol Corridor JPB – 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.

8.3. ANNOUNCEMENTS

There were no Announcements.

9. CLOSED SESSION

Public Comment

Satnam Gill, Amalgamated Transit Union (ATU), expressed concern with wages and the gap between the rich and poor in Silicon Valley and requested VTA give ATU its fair share.

Robert Fabela, General Counsel, announced pursuant to Government Code Section 5.956.9e the two items to be discussed under Item 9.1.D relate to: 1) Blossom Hill Pedestrian Overcrossing Project; and 2) Alum Rock business owners affected by the Bus Rapid Transit (BRT) project.

9.1. Recessed to Closed Session at 7:40 p.m.

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

Property: North Division located at Shoreline Boulevard and La Avenida Street in Mountain View, CA
(APN: 116-16-053)

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

Negotiating Parties: John Igoe, Real Estate & Workplace Services Director, Google Inc.

Under Negotiation: Price and terms of exclusive negotiating agreement for North Yard Development Opportunity

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

Name of Case: Santa Clara Valley Transportation Authority v. Martina, et al. (Defs.: Peter Pham and Angelita Luciano)

(Santa Clara County Superior Court Case No.: 1-12-CV-234287)

C. Anticipated Litigation- Conference with Legal Counsel

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9 and/or significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9.

Number of Cases: 1

D. Anticipated Litigation – Conference with Legal Counsel

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

Number of Cases: 2

E. Anticipated Litigation- Conference with Legal Counsel

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9 and/or significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9.

Number of Cases: 1

F. Conference with Labor Negotiators
(Government Code Section 54957.6)

VTA Designated Representatives
Rudy Medina, Employee Relations Manager
Raj Srinath, Chief Financial Officer

Employee Organization
Amalgamated Transit Union, Local 265

Board Member Kalra left the meeting at 9:09 p.m.

9.2. Reconvened to Open Session at 9:33 p.m.

9.3. Closed Session Report

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

Property: North Division located at Shoreline Boulevard and La Avenida Street in Mountain View, CA
(APN: 116-16-053)

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

Negotiating Parties: John Igoe, Real Estate & Workplace Services Director, Google Inc.

Under Negotiation: Price and terms of exclusive negotiating agreement for North Yard Development Opportunity

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

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

Name of Case: Santa Clara Valley Transportation Authority v. Martina, et al. (Defs.: Peter Pham and Angelita Luciano)

(Santa Clara County Superior Court Case No.: 1-12-CV-234287)

Mr. Fabela reported there was no report from Closed Session.

C. Anticipated Litigation- Conference with Legal Counsel

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9 and/or 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.

D. Anticipated Litigation – Conference with Legal Counsel

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

Number of Cases: 2

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

E. Anticipated Litigation- Conference with Legal Counsel

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9 and/or 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.

F. Conference with Labor Negotiators
(Government Code Section 54957.6)

VTA Designated Representatives
Rudy Medina, Employee Relations Manager
Raj Srinath, Chief Financial Officer

Employee Organization
Amalgamated Transit Union, Local 265

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 in memory of Charlotte Beebe and Rodil Tampol at 9:34 p.m.

Respectfully submitted,

Menominee McCarter, Board Assistant
VTA Office of the Board Secretary