



**CITIZENS ADVISORY COMMITTEE
and
2000 MEASURE A CITIZENS WATCHDOG COMMITTEE**

Wednesday, April 13, 2016

MINUTES

CALL TO ORDER

The Regular Meeting of the Citizens Advisory Committee (CAC)/2000 Measure A Citizens Watchdog Committee (CWC) was called to order at 5:04 p.m. by Chairperson Wadler in Conference Room B-104, VTA River Oaks Campus, 3331 North First Street, San Jose, California.

1. ROLL CALL

Attendee Name	Title	
Stephen Blaylock	Member	Present
Clinton Brownley	Member	Present
Bena Chang	Member	Absent
Chris Elias	Member	Present
Sharon Fredlund	Vice Chairperson	Present
William Hadaya	Member	Present
Ray Hashimoto	Member	Present
Roberta Hughan	Member	Present
Aaron Morrow	Member	Present
Charlotte Powers	Member	Present
Lucas Ramirez	Member	Present
Connie Rogers	Member	Present
Stephen Schmoll	Member	Present
Martin Schulter	Member	Present
Noel Tebo	Member	Present
Herman Wadler	Chairperson	Present

A quorum was present.

2. ORDERS OF THE DAY

Chairperson Wadler noted **Agenda Item #14**, Independent Auditor Initiation of Compliance Audit of FY15, would be deferred to the May 11, 2016, Citizens Advisory Committee (CAC) and 2000 Measure A Citizens Watchdog Committee (CWC).

M/S/C (Ramirez/Powers) to accept the Orders of the Day.

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

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ramirez, Member
SECONDER:	Powers, Member
AYES:	Blaylock, Brownley, Fredlund, Hadaya, Hashimoto, Hughan, Morrow, Powers, Ramirez, Rogers, Schmoll, Schulter, Tebo, Wadler
NOES:	None
ABSENT:	Chang, Elias

3. PUBLIC PRESENTATIONS

There were no Public Presentations.

4. Committee Staff Report

Jim Lawson, Government Affairs Director & Executive Policy Advisor, reported the VTA Board of Directors (Board) took the following actions at their April 7, 2016, meeting: 1) approved an amendment to the FY 2016 VTA Transit Capital Budget by up to \$1.5M to provide additional funding for the Alum Rock Small Business Sustainability Program (SBSP), and granted review to those businesses that have received less than the full amount requested and who have signed a waiver and release against VTA; 2) approved an adjustment to the Joint Development Policy to include an additional section to the Affordable Housing Policy; 3) authorized the General Manager to execute an agreement between VTA and the Bay Area Rapid Transit (BART) for an Operations Control Center Project (OCC Project); and 4) announced VTA will offer free rides on April 22, 2016, in celebration of Earth Day, and encouraged everyone to participate.

On order of Chairperson Wadler and there being no objection, the Committee received the Committee Staff Report.

5. Chairperson’s Report

Chairperson Wadler indicated the VTA Board received the following CAC approved reports at the April 7, 2016, Board meeting: 1) 2000 Measure A Transit Improvement Program Semi-Annual Report ending December 31, 2015; 2) The Development Renewal Annual Report for 2015; and 3) Transit Ridership Improvement Program (TRIP) Draft Transit Choices Report. He noted the Board had an extensive discussion about transit service in Santa Clara County, and stated upcoming stakeholder and community meetings will be taking place.

6. Committee for Transit Accessibility (CTA) Report

Member Morrow reported the Committee for Transit Accessibility (CTA) received an informational item on the rebranding of VTA’s Paratransit fleet, noting the item was not well received by the Committee. He expressed concern with removal of the “Outreach” name, stating people with cognitive disabilities may be impacted. He noted his request that staff present another alternative.

7. **Bicycle and Pedestrian Advisory Committee (BPAC) Report**

There was no Bicycle and Pedestrian Advisory Committee (BPAC) Report.

COMBINED CAC AND 2000 MEASURE A CITIZENS WATCHDOG COMMITTEE CONSENT AGENDAS

8. **Regular Meeting Minutes of March 9, 2016**

M/S/C (Hadaya/Schulter) to approve the Regular Meeting Minutes of March 9, 2016.

9. **Citizens Advisory Committee (CAC) Quarterly Attendance Report**

M/S/C (Hadaya/Schulter) to review the Citizens Advisory Committee (CAC) Quarterly Attendance Report.

10. **Legislative Update Matrix**

M/S/C (Hadaya/Schulter) to review the Legislative Update Matrix.

11. **One Bay Area Grant Cycle 2 Formula and Criteria**

M/S/C (Hadaya/Schulter) to recommend that the VTA Board of Directors approve the Santa Clara County One Bay Area Grant (OBAG) Cycle 2 Guarantee Program Distribution Formula and Countywide Competitive Complete Streets Project Selection Criteria.

12. **Bay Area Express Lanes Operations Policy Updates**

M/S/C (Hadaya/Schulter) to review the Bay Area Express Lanes Operations Policy Updates.

RESULT:	APPROVED [UNANIMOUS] <u>(Consent Agenda Items # 8-12)</u>
MOVER:	Hadaya, Member
SECONDER:	Schulter, Member
AYES:	Blaylock, Brownley, Fredlund, Hadaya, Hashimoto, Hughan, Morrow, Powers, Ramirez, Rogers, Schmoll, Schulter, Tebo, Wadler
NOES:	None
ABSENT:	Chang, Elias

2000 MEASURE A CITIZENS WATCHDOG COMMITTEE REGULAR AGENDA

13. **Contract Award for CWC Compliance Auditor**

Stephen Flynn, Senior Management Analyst and Advisory Committee Coordinator, provided an overview of the staff report indicating the CWC Compliance Auditor Subcommittee Committee had unanimously selected Macias, Gini & O'Connell, LLP (MGO) for compliance auditing services for the 2000 Measure A Citizens Watchdog Committee. Mr. Flynn introduced Eugene Ma and Juan Zaragoza, of the Certified Public Accountants from MGO.

Mr. Ma thanked the Committee for the opportunity and indicated he looks forward to bringing forth a fresh perspective. He shared his audit background with the Committee.

Member Powers indicated the CWC Compliance Auditor Subcommittee Committee had interviewed three firms and felt very strongly that MGO was the first recommendation of choice for the Committee.

Member Schuler expressed appreciation for MGO's comprehensive understanding of the Committee's obligations, history, and concerns.

M/S/C (Powers/Schuler) to authorize the General Manager to execute a contract with Macias, Gini & O'Connell LLP for compliance auditing services for the 2000 Measure A Citizens Watchdog Committee's (CWC), as recommended by the CWC Compliance Auditor Subcommittee. The base term of the contract is for two years (two audit cycles) at a fixed price of \$56,050 (\$28,025 per year). In addition, the contract includes five optional one-year contract extensions at a fixed price of \$29,700 per year, to be executed at the sole discretion of the CWC.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Powers, Member
SECONDER:	Schuler, Member
AYES:	Blaylock, Brownley, Fredlund, Hadaya, Hashimoto, Hughan, Morrow, Powers, Ramirez, Rogers, Schmoll, Schuler, Tebo, Wadler
NOES:	None
ABSENT:	Chang, Elias

Member Elias arrived and took his seat at 4:18 p.m.

14. (Deferred to May 5, 2016, Citizens Advisory Committee (CAC) and 2000 Measure A Citizens Watchdog Committee (CWC) Meeting.)

Independent Auditor Initiation of Compliance Audit of FY15

On order of Chairperson Wadler and there being no objection, the Committee deferred receiving a briefing from the 2000 Measure A Citizens Watchdog Committee's independent compliance auditor on the draft audit plan and schedule for performing the compliance audit of FY15.

CITIZENS ADVISORY COMMITTEE REGULAR AGENDA

15. Envision Silicon Valley Update

Mr. Lawson thanked the Committee for their work in the Envision Silicon Valley (ESV) process, and announced the VTA Board of Directors will have a workshop on April 22, 2016, to consider what kind of sales tax measure will be created for ESV. Mr. Lawson stated today staff would like to hear what the Committee believes are the most important transportation issues in Santa Clara County as ESV moves forward.

Scott Haywood, Policy and Community Relations Manager, provided the staff report and a presentation entitled "Envision Silicon Valley," highlighting: 1) Stakeholders; 2) Stakeholder Groups; 3) March Meeting; 4) Group #1; 5) Group #1 Summary; 6) Group

#1 Notes; 7) Group #2; 8) Group #2 Summary; 9) Group #2 Notes; 10) Group #3; 11) Group #3 Summary; 12) Group #3 Notes; 13) Group #4; 14) Group #4 Summary; 15) Group #4 Notes; 16) Potential Category Policies; and 17) Next Steps.

Discussion ensued regarding the following: 1) queried about the absence of Americans With Disabilities Act (ADA) services; 2) encouraged flexibility in the local match requirement; 3) noted there are federal and state funds to leverage tax funds; 4) expressed support for transit accessibility in underserved South County; 5) suggested ADA policies and budget be reviewed as they are out of date; 6) stated the ballot measure should include options that appeal to all voters, noting the measure will require a two-thirds vote to pass and there must be specificity in the verbiage; 7) arguments for and against including Affordable Housing in the measure; 8) indicated any Affordable Housing should be Transit Oriented Development; 9) suggested increasing park and ride locations; 10) suggested staff include among the alternatives an option that would fund projects that have the greatest merit based on the goals and criteria that the Board adopted; 11) breakdown of percentages for specificity; 12) focus should be on building the transportation system and not specifically affordable housing; 13) polling; 14) expressed support for local roads and highway improvements; 15) noted first and last mile connections are important; 16) suggested the tax measure should also support projects that have not been completed under previous measures, such as the Airport People Mover; 17) expressed support for safety improvement, noting verbiage should be included that grade separations improve safety; 18) noted the importance of being careful about the total amount of tax collected in Santa Clara County; 19) queried about the environmental benefit to reduce emissions for both trucks and trains; 20) expressed support for Group #3 recommendations; 21) indicated most voters are not in favor of light rail transit, but would support commuter rail service such as Caltrain; 22) recommends staff provide options based on the evaluation criteria as well as an option shared with the public; and 23) stated “transit” is not sufficiently defined, noting BART and Caltrain should be called out as “regional transit.”

Member Hadaya left the meeting at 5:34 p.m.

The Committee came to a consensus on Stakeholder Group 3 as a starting point for discussion, and made the following suggestions: 1) “Transit” includes Caltrain, Bay Area Rapid Transit (BART), and Altamont Commuter Express (ACE) and should be changed to “Regional Transit;” 2) Local Streets should have some flexibility so cities with good pavement conditions can use the funds on other projects with considerable merit; 3) Bus Transit needs clarification that this is capital and operations and should be used to implement the Transit Ridership Improvement Program (TRIP) system redesign; 4) Grade Separations could go to regional transit; 5) there was no consensus reached on the inclusion of Affordable Housing, and; 6) BART and Caltrain should be called out.

Member Morrow left the meeting at 5:38 p.m.

M/S/F (Fredlund/Tebo) on a vote of 6 ayes to 4 noes to 3 abstentions, to review progress and provide input on Envision Silicon Valley. Provide a recommendation to the Santa Clara Valley Transportation Authority (VTA) Board of Directors on a potential sales tax ballot measure to support transportation Group #3 Summary excluding Affordable Housing, and to include the multi-faceted transit categories, such as BART and Caltrain. Members Elias, Schmoll, Ramirez and Tebo opposed.

RESULT: FAILED
MOVER: Fredlund, Member
SECONDER: Tebo, Member
AYES: Fredlund, Hashimoto, Hughan, Powers, Rogers, Schuller
NOES: Elias, Schmoll, Ramirez, Tebo
ABSTAIN: Blaylock, Brownley, Wadler
ABSENT: Chang, Hadaya, Morrow

M/S/C (Fredlund/Ramirez) to review progress and provide input on Envision Silicon Valley. Provide a recommendation to the Santa Clara Valley Transportation Authority (VTA) Board of Directors on a potential sales tax ballot measure to support transportation Group #3 Summary, noting the following: 1) there was not consensus within the Committee on the inclusion and percentage of Affordable Housing; and 2) define “transit” to include BART, Caltrain and light rail.

RESULT: APPROVED
MOVER: Fredlund, Member
SECONDER: Ramirez, Member
AYES: Elias, Fredlund, Hashimoto, Hughan, Powers, Ramirez, Rogers, Tebo, Wadler
NOES: None
ABSTAIN: Blaylock, Brownley, Schmoll, Schuller
ABSENT: Chang, Hadaya, Morrow

COMBINED CAC AND CITIZENS WATCHDOG COMMITTEE ITEMS

16. Citizens Advisory Committee and Citizens Watchdog Committee Work Plan

On order of Chairperson Wadler and there being no objection, the Committee reviewed the Citizens Advisory Committee and Citizens Watchdog Committee Work Plans.

OTHER

17. ANNOUNCEMENTS

There were no Announcements.

18. ADJOURNMENT

On order of Chairperson Wadler and there being no objection, the meeting was adjourned at 6:13 p.m.

Respectfully submitted,

Anita McGraw, Board Assistant
VTA Office of the Board Secretary