

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

Wednesday, May 9, 2018

**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 4:04 p.m. by Chairperson Fredlund in Conference Room B-106, VTA River Oaks Campus, 3331 North First Street, San Jose, California.

**1. ROLL CALL**

| <b>Attendee Name</b> | <b>Title</b>     | <b>Represents</b>                  | <b>Status</b> |
|----------------------|------------------|------------------------------------|---------------|
| Aboubacar Ndiaye     | Member           | South Bay AFL-CIO Labor Council    | Absent        |
| Stephen Blaylock     | Member           | Mass Transit Users                 | Present       |
| Aneliza Del Pinal    | Member           | Senior Citizens                    | Present       |
| Chris Elias          | Vice Chairperson | Environmentalists                  | Absent        |
| Sharon Fredlund      | Chairperson      | BOMA Silicon Valley                | Present       |
| William Hadaya       | Member           | SCC Chambers of Commerce Coalition | Present       |
| Ray Hashimoto        | Member           | Homebuilders Assn. of No. CA       | Absent        |
| Aaron Morrow         | Member           | Disabled Community                 | Present       |
| Matthew Quevedo      | Member           | Silicon Valley Leadership Group    | Present       |
| Connie Rogers        | Member           | South County Cities                | Present       |
| Martin Schulter      | Member           | Disabled Persons                   | Present       |
| Noel Tebo            | Member           | San Jose                           | Present       |
| Herman Wadler        | Member           | Bicyclists & Pedestrians           | Present       |

**A quorum was present.**

**2. ORDERS OF THE DAY**

There were no Orders of the Day.

**3. PUBLIC PRESENTATIONS:**

Blair Beekman, Interested Citizen, commented on the following: 1) commented that the committee process would benefit by having additional members from larger corporations,

and 2) encouraged learning about law enforcement data collection and every day scientific data collection and their technology.

**4. Committee Staff Report**

Aaron Quigley, Senior Policy Analyst and Staff Liaison, provided a report, highlighting: 1) actions the VTA Board of Directors (Board) took at their May 3, 2018, meeting; 2) announced significant state funding, including a milestone for VTA's BART Silicon Valley Phase II (Phase II) with \$730 million contribution from California's Cap-and-Trade Transit and Intercity Rail Capital Program; 3) VTA efforts to stop human trafficking; 4) Tasman Corridor Complete Streets Study public hearing was a success; 5) VTA's Ad Hoc Financial Stability Committee to meet Friday, May 11, 2018 at 12:00 p.m. in VTA Conference Room B-106, and; 6) Thursday, May 10, 2018, is Bike to Work Day.

Members of the Committee and staff discussed the following: 1) Phase II grant funding; 2) upcoming Phase II community meetings, and; 3) Eastridge to BART Regional Connector light rail grade separation.

Member Hadaya arrived at 4:46 p.m. and took his seat.

**Public Comment**

Mr. Beekman commented on the following: 1) noted the "Bigbelly Smart Trash Can System" is also located at the Great Mall and Tasman, and; 2) expressed support for the committee meeting process.

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

**5. Chairperson's Report**

Chairperson Fredlund reported due to the meeting cancellation on May 3, 2018, the Governance and Audit Committee was not able to consider the Implementation Strategy for Amendments to the CAC Bylaws to Modify the Membership Structure. She stated the matter has been placed on today's agenda to provide an additional opportunity to express and document all comments and concerns.

**6. Committee for Transportation Mobility and Accessibility (CTMA) Report**

There was no Committee for Transportation Mobility and Accessibility (CTMA) Report.

**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 April 11, 2018

M/S/C (Wadler/Tebo) to approve the Regular Meeting Minutes of April 11, 2018.

|                  |   |
|------------------|---|
| <b>RESULT:</b>   | <b>APPROVED - <u>Agenda Item #8</u></b>   |
| <b>MOVER:</b>    | Wadler  |
| <b>SECONDER:</b> | Tebo  |
| <b>AYES:</b>     | Blaylock, Del Pinal, Fredlund, Hadaya, Morrow, Quevedo, Rogers, Schuler, Tebo, Wadler |
| <b>NOES:</b>     | None  |
| <b>ABSENT:</b>   | Elias, Hashimoto, Ndiaye  |

## CITIZENS ADVISORY COMMITTEE REGULAR AGENDA

### 9. Annual Sustainability Report

Ann Calnan, Transportation Planning Manager – Environmental Resource Planning; and Lani Lee Ho, Environmental Planner III, provided the staff report and a presentation entitled “2017 Sustainability Report,” highlighting: 1) VTA’s Sustainability Program; 2) Environmental Performance; 3) 2% Reduction in Fuel Use and greenhouse gas (GHG) Emissions; 4) 4% Reduction in Energy Use for Traction Power; 5) 11.5% Increase in Energy Use for Facilities; 6) 6% Increase in Water Use; 7) 13% Reduction of Solid Waste; 8) 2017 Achievements, and 9) Current and Planned Projects.

Members of the Committee and staff discussed the following; 1) VTA’s plans to incorporate more electric and hybrid busses going forward; 2) applaud VTA’s effort to reduce GHG emissions; 3) the technology for hybrid paratransit vehicles is still being developed; 4) charging station vandalism; 5) light emitting-diode (LED) savings; 6) Silicon Valley Clean Energy credits, and; 7) solid waste diversion rate.

**On order of Chairperson Fredlund** and there being no objection, the Committee received the 2017 Sustainability Report.

### 10. Light Rail Safety and Speed Pilot Project in Downtown San Jose

Tamiko Percell, Transportation Planner III, provided the staff report and a presentation entitled “Downtown San Jose Safety & Speed Improvements Pilot Project,” highlighting: 1) VTA’s Adopted Strategic Plan; 2) Downtown San Jose Light Rail Safety Program;

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

3) Downtown San Jose Light Rail; 4) Transit Mall Design is Challenging for Transit; 5) Eliminated Treatments; 6) Proposed Treatments; 7) Issue 1: Intrusion into Trackway from Parallel Sidewalk; 8) Treatment: Restripe Crosswalk Away from Dynamic Envelope; 9) Issue 2: Intrusion into Trackway from Sidewalk and Median; 10) Treatment: Railing Between Sidewalk and Trackway; 11) Issue 3: Vehicle Intrusion into Trackway to/from Garage; 12) Treatment: Improve Warning System; 13) Issue 4: Intrusion into Trackway Between Platform and Sidewalk; 14) Treatment: Bistro-style Railing Between Sidewalk and Trackway; 15) Issue 5: Safer Midblock Crossing; 16) Highlight Paseo de San Antonio as Primary Crossing; 17) Issue 6: Intrusion into Trackway from Median and Sidewalk; 18) Treatment: Railing Between Sidewalk and Trackway, and; 19) Budget.

Discussion ensued about the following: possible unintended consequences of tabletops and its effects on personal safety; options not considered due to City of San Jose requirements; measures of success; and American Disability Act (ADA) and California Public Utilities Commission (CPUC) requirements.

### **Public Comment**

Mr. Beekman made the following comments: 1) expressed support for the pilot project; 2) noted safety is a big concern; 3) suggested exit routes would be helpful, and; 4) suggested 50 or 100 feet, rather than 500 feet, of tabletop in front of restaurants and shops to deter crossing.

**On order of Chairperson Fredlund** and there being no objection, the Committee received information on the Light Rail Safety and Speed Pilot Project in Downtown San Jose.

## **11. Implementation Strategy for Amendments to the CAC Bylaws to Modify the Membership Structure**

Chairperson Fredlund provided an introduction.

Member Schuller thanked Member Blaylock for his letter and expressed confusion noting the Committee met several times and had reached consensus.

Member Blaylock expressed concern with serving two consecutive terms and a mandatory one term hiatus before reapplying, noting other committees do not have that restriction. He suggested after serving two consecutive terms a member may reapply immediately without a mandatory hiatus to help avoid a high turnover.

Members of the Committee and staff discussed the following: 1) many other committee members are city appointed and the city appointees term out; 2) eliminating the mandatory hiatus would mean there are no term limits; 3) committee member classification to include two broad categories of business and labor and societal interests, noting out of those would come the 13 positions; 4) expressed support for considering

senior citizens as a community interest; 5) committee will have input into stakeholder representation, and; 6) encouraged members to recruit in specific niches.

Chairperson Fredlund announced the 2000 Measure A Citizens Watchdog Committee Public Hearing was to begin at 6:00 p.m., and further discussion regarding **Agenda Item #11.**, Implementation Strategy for Amendments to the CAC Bylaws to Modify the Membership Structure, would be continued after the Public Hearing.

## **2000 MEASURE A CITIZENS WATCHDOG COMMITTEE (CWC) PUBLIC HEARING**

### **CALL TO ORDER**

The 2000 Measure A Citizens Watchdog Committee (CWC) Public Hearing on Measure A Program Expenditures was called to order at 6:00 p.m. by Chairperson Fredlund.

#### **12. Conduct CWC Public Hearing**

Chairperson Fredlund indicated that the Citizens Watchdog Committee (CWC) was conducting the Public Hearing (Hearing) in accordance with the 2000 Measure A ballot. She noted the purpose of the hearing is to provide the community an opportunity to express to the CWC its views, opinions and concerns on 2000 Measure A Program expenditures, the results of the annual independent compliance audit, and on 2000 Measure A Program reports.

Chairperson Fredlund stated that the results of any input, combined with other data received, would be used by the CWC to form its conclusion if Measure A tax dollars for the period were spent in accordance with the intent of the ballot.

Chairperson Fredlund stated the results will also be contained in the CWC's Annual Report on FY 2017, which will be made available to the public through various methods and also placed on VTA's website.

Chairperson Fredlund stated because the hearing is to receive input exclusively on the Measure A Program, members of the public wishing to speak will be required to limit their comments to 2000 Measure A Program-related issues only.

Chairperson Fredlund stated since the hearing is to receive community input, the Committee does not debate or engage in extended discussion with speakers or other Committee members. She stated Committee members may ask brief questions to clarify a statement or issue. If readily available or easily answered, the Committee or staff may provide brief answers. All other questions will be referred to staff to formulate a written response from the Committee.

Chairperson Fredlund queried if any written comments had been received from the public, either via email or U.S. mail, noting those received would be provided to the Committee and audience and be entered into the official hearing record. No written comments were received.

Chairperson Fredlund requested that speakers fill out a blue speaker card and verbally state their name for the record.

### **Public Comment**

Mr. Beekman, queried about the following: 1) what is VTA's public accountability process for surveillance cameras on the buses, and; 2) are 2000 Measure A funds being used for that surveillance?

Chairperson Fredlund asked if there were any additional members of the public wishing to speak. Seeing none, Chairperson Fredlund closed the Public Hearing at 6:06 p.m.

Chairperson Fredlund stated in conclusion, the input received would be combined with other information received by the CWC to render its conclusion on if 2000 Measure A tax dollars are being spent in accordance with the intent of the Measure. The CWC will then inform Santa Clara County residents of its findings by publishing its conclusion in local newspapers and placing it on VTA's website, among other methods.

Chairperson Fredlund stated that the transcript of the hearing prepared by the court reporter and an audio recording of the hearing will be available to the public within a reasonable timeframe following the hearing.

## **CITIZENS ADVISORY COMMITTEE REGULAR AGENDA (continued)**

### **11. Implementation Strategy for Amendments to the CAC Bylaws to Modify the Membership Structure (Continued)**

Chairperson Fredlund announced the return to **Agenda Item #11.**, Implementation Strategy for Amendments to the CAC Bylaws to Modify the Membership Structure, for Committee Member questions and further discussion.

Members of the Committee and staff discussed the following: 1) Committee's initial goal was for flexibility and inclusiveness with representation from major stakeholders in transportation; 2) expressed support for two consecutive four-year terms with the ability to reapply after a one term hiatus, and; 3) expressed support for adding a representative for rural roads.

Member Wadler reported news of a freeway overpass being constructed in Gilroy and Morgan Hill. He expressed concern that the matter had not come through the Committee for review, and requested the matter be added to the work plan.

### **Public Comment**

Mr. Beekman stated his hope that the Committee would work towards fulfilling their original goal. He expressed concern that the Committee may be opening itself up to something uncomfortable.

Member Wadler left his seat at 6:30 p.m.

**On order of Chairperson Fredlund** and there being no objection, the Committee discussed the Implementation Strategy for Amendments to the CAC Bylaws to Modify the Membership Structure.

## **COMBINED CAC AND CITIZENS WATCHDOG COMMITTEE ITEMS**

### **13. Citizens Advisory Committee and Citizens Watchdog Committee Work Plans**

Member Del Pinal requested an update on VTA's transition to the new paratransit vendor.

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

## **OTHER**

### **14. ANNOUNCEMENTS**

There were no Announcements.

### **15. ADJOURNMENT**

**On order of Chairperson Fredlund** and there being no objection, the meeting was adjourned at 6:32 p.m.

Respectfully submitted,

Anita McGraw, Board Assistant  
VTA Office of the Board Secretary