

BOARD OF DIRECTORS MEETING

Thursday, March 7, 2019

MINUTES

1. CALL TO ORDER AND ROLL CALL

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

1.1. ADMINISTER OATHS OF OFFICE

Elaine Baltao, VTA Board Secretary, administered the Oath of Office to Alternate Board Member Marie Blankley.

1.2. ROLL CALL

Attendee Name	Title	Status
Marie Blankley	Alternate Board Member	Present
Larry Carr	Board Member	Present
Magdalena Carrasco	Board Member	Present
Cindy Chavez	Vice Chairperson	Present
David Cortese	Board Member	Present
Dev Davis	Alternate Board Member	Present
Lan Diep	Board Member	Present
Susan Ellenberg	Alternate Board Member	Absent
Adrian Fine	Alternate Board Member	Absent
Glenn Hendricks	Alternate Board Member	Present
Chappie Jones	Board Member	Absent
Sam Liccardo	Board Member	Present
John McAlister	Board Member	Present
Howard Miller	Alternate Board Member	Present
Teresa O'Neill	Chairperson	Present
Raul Peralez	Board Member	Present
Rob Rennie	Board Member	Absent
Rich Tran	Board Member	Present
Jeannie Bruins	Ex-Officio Member	Present

* Alternates do not serve unless participating as a Member.

A quorum was present.

1.3. Pledge of Allegiance

The Pledge of Allegiance commenced.

1.4. Orders of the Day

Chairperson O'Neill noted the following: 1) **Agenda Item #2.5.:** Resolution of Commendation for Steve Heminger, Executive Director of the Metropolitan Transportation Commission (MTC) was on the dais and the public table, and; 2) **Revised Agenda Item #6.5.,** Contract Award for the Strategic Plan for Advancing High Capacity Transit Corridors has been revised to reflect the removal of the word "negotiate" in the recommendation language and is also on the dais and public table.

M/S/C (Liccardo/Chavez) to accept the Orders of the Day.

RESULT:	ACCEPTED – Agenda Item #1.4
MOVER:	Sam Liccardo, Board Member
SECONDER:	Cindy Chavez, Vice Chairperson
AYES:	Carr, Chavez, Cortese, Davis, Diep, Liccardo, McAlister, Miller, O'Neill, Peralez, Rennie
NOES:	None
ABSENT:	Carrasco

2. AWARDS AND COMMENDATION

The Agenda was taken out of order.

2.5. Resolution of Commendation for Steve Heminger

M/S/C (Cortese/Chavez) to adopt **Resolution of Commendation No. 2019.03.06** for Steve Heminger upon his retirement as the Executive Director of the Metropolitan Transportation Commission (MTC).

RESULT:	ADOPTED – Agenda Item #2.5
MOVER:	Dave Cortese, Board Member
SECONDER:	Cindy Chavez, Vice Chairperson
AYES:	Carr, Chavez, Cortese, Davis, Diep, Liccardo, McAlister, Miller, O'Neill, Peralez, Rennie
NOES:	None
ABSENT:	Carrasco

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

2.1. 2018 Employees of the Year

The Board recognized Mimi Nguyen, Office and Timekeeping Technician, Cerone Office, and Harinderpal Singh, Coach Operator at Chaboya Operations, as Employees of the Year for 2018.

Board Member Carrasco arrived and took her seat at 5:38 p.m.

2.2. Special Recognition of VTA Employees

The Board recognized the following employees for their critical roles that helped lead to the arrest of a man wanted on an FBI felony warrant: Coach Operators Juan Balleza and Michael Grenz.

2.3. Present Resolution of Appreciation to Outgoing Board Member Johnny Khamis

Outgoing Board Member Johnny Khamis was unable to attend the meeting.

2.4. Community Partnership Recognition

The Board recognized Meggan Powers, Family Supportive Housing Board Chairperson, for being a valued community partner not only to VTA but to the many families in Santa Clara County.

Public Comment

Roland Lebrun expressed concern about autonomous vehicles.

3. PUBLIC COMMENT

The following Members of the Public commented on the proposed new 2019 Transit Service Plan:

- Angi Dixon, VTA Information Services Representative
- Monica Mallon, Interested Citizen
- Jake Tonkel, Interested Citizen
- Andrew Boone, Interested Citizen
- Scott Lorgan, Interested Citizen
- Cole Cameron, Interested Citizen
- Nassim Nouri, Interested Citizen
- Gary, Interested Citizen
- Interested Citizen

James Wightman, Interested Citizen, commented on the following: 1) light rail safety and security; 2) increase light rail speed; 3) light rail venting process; 4) BART service to San Jose, and; 5) suggested placement of closed circuit television (CCTV) on light rail.

Roland Lebrun, Interested Citizen, referenced a recent light rail incident where a bus bridge was initiated and suggested buses intersecting with a bus bridge should be rerouted to intervene and assist.

Blair Beekman, Interested Citizen, expressed support for the public process.

Joyce O'Neil, Interested Citizen, expressed concern with decreased paratransit service.

4. PUBLIC HEARINGS

There were no Public Hearings.

5. COMMITTEE REPORTS

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

Chairperson O'Neill 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

Glenn Hendricks, Policy Advisory Committee (PAC) Chairperson, provided a report on the items discussed at the February 8, 2019, PAC meeting.

5.3. Standing Committee Chairpersons' Report

Congestion Management Program and Planning (CMPP) Committee Chairperson Peralez provided a report on the items discussed at the February 21, 2019, CMPP Committee meeting.

Administration and Finance (A&F) Committee Chairperson Carr provided a report on the items discussed at the February 21, 2019, A&F Committee meeting.

Safety, Security and Transit Planning and Operations (SSTPO) Committee Vice Chairperson Chavez provided a report on the items discussed at the February 22, 2019, SSTPO Committee meeting.

Capital Program Committee (CPC) Chairperson Sam Liccardo provided a report on the items discussed at the February 28, 2019, CPC meeting.

Governance & Audit (G&A) Committee Chairperson O'Neill provided a report on the items discussed at the March 7, 2019, G&A Committee meeting.

5.4. Policy Advisory Board Chairpersons' Report

State Route (SR) 85 Corridor Policy Advisory Board (PAB) Chairperson McAlister provided a report on the items discussed at the February 25, 2019, PAB meeting.

6. CONSENT AGENDA

Alternate Board Member Miller referenced **Agenda Item #6.3.**, Draft 2016 Measure B Innovative Transit Service Models Competitive Grant Program Framework and expressed concern with the percentage attributed to Innovative Mobility Models & Programs.

Public Comment

Mr. Boone commented on the following: 1) requested the Board take public comment before voting on the consent calendar; 2) referenced **Agenda Item #6.2.**, Transit Speed Policy and encouraged VTA to lead an effort to encourage a city/state Transit Signal Priority Policy, and; 3) expressed support for **Agenda Item #6.5.**, Contract Award for the Strategic Plan for Advancing High Capacity Transit Corridors, and encouraged VTA to continue to study how to speed up transit on El Camino Real.

Mr. Beekman made the following comments: 1) referenced **Agenda Item #6.2.**, Transit Speed Policy, and opposed increasing speeds, and; 2) referenced **Agenda Item #6.3.**, Draft 2016 Measure B Innovative Transit Service Models Competitive Grant Program Framework and noted funding for fares is vital.

Mr. Wightman commented on the following: 1) suggested safety “Venting” for light rail tracks in downtown San Jose, and; 2) commencement of BART service.

Ex-Officio Jeannie Bruins referenced **Agenda Item #6.2.**, Transit Speed Policy, and noted the report states “ultimately the success of the policy depends on the on-going cooperation, support and partnership from VTA and local jurisdictions or other partners.” She requested staff consider how VTA can proactively build awareness and education in local jurisdictions.

6.1. Board of Directors Regular Meeting Minutes of February 7, 2019

M/S/C (Carr/Peralez) to approve the Board of Directors Regular Meeting Minutes of February 7, 2019.

6.2. Transit Speed Policy

M/S/C (Carr/Peralez) approve a Transit Speed Policy for VTA.

6.3. Draft 2016 Measure B Innovative Transit Service Models Competitive Grant Program Framework

M/S/C (Carr/Peralez) to approve draft framework of the proposed 2016 Measure B Innovative Transit Service Models Competitive Grant Program.

6.4. Bus Stop Enhancement at Various Locations (C18171F) Contract

M/S/C (Carr/Peralez) to authorize the General Manager to execute a contract with Itech Solution, the lowest responsive and responsible bidder, in the amount of \$810,810 for the Bus Stop Enhancement at Various Locations (C18171F) contract.

6.5. Contract Award for the Strategic Plan for Advancing High Capacity Transit Corridors

M/S/C (Carr/Peralez) to authorize the General Manager to execute a Firm Fixed Price contract with Fehr & Peers to complete the Strategic Plan for Advancing High Capacity Transit Corridors. The contract shall be for a period of 18 months and not to exceed \$800,000.

RESULT:	ADOPTED [UNANIMOUS] – Agenda Items #6.1 – 6.5
MOVER:	Larry Carr, Board Member
SECONDER:	Raul Peralez, Board Member
AYES:	Carr, Carrasco, Cortese, Chavez, Davis, Diep, Liccardo, McAlister, Miller, O’Neill, Peralez, Tran
NOES:	None
ABSENT:	None

7. REGULAR AGENDA

Administration and Finance Committee

7.1. Blossom Hill Station Joint Development – Exclusive Negotiations Agreement

Board Members Carrasco, Cortese and Liccardo recused themselves from **Agenda Item #7.1.**, Blossom Hill Station Joint Development – Exclusive Negotiations Agreement.

Board Members Carrasco, Cortese and Liccardo left their seats at 6:42 p.m.

Ron Golem, Deputy Director, Real Estate, introduced Kelly Snider, Project Management Consultant. Mr. Golem provided the staff report and a presentation entitled “Blossom Hill Station Developer Selection,” highlighting: 1) VTA’s Transit-Oriented Development (TOD) Policy Goals; 2) City’s “Signature Project” Requirements; 3) Blossom Hill Request for Proposals (RFP) Preparation; 4) VTA Goals and RFP Requirements; 5) RFP Outreach and Publicity; 6) One proposal received by November 2, 2018 deadline; 7) Proposed Program and Uses; 8) GRBH Proposed Site Plan; 9) Proposed Financial Terms; 10) VTA Review Panel Recommendations, and; 11) Administration & Finance Committee recommendations.

Board Member McAlister left his seat at 6:49 p.m.

Board Member McAlister returned to his seat at 6:51 p.m.

Members of the Board and staff discussed the following: 1) parking concerns; 2) shared amenities; 3) research encourages integration of market rate units with affordable units; 4) consider financing and the use of grant funding for affordable housing; 5) capture Administration and Finance (A&F) Committee recommendations; 6) encourage safety and open public space; 7) pedestrian circulation; 8) consider adding photovoltaic solar panels or a tree canopy, and; 9) use of Measure A funds.

Members of the Board made the following requests and recommendations: 1) requested a mid-point closed session check-in to keep Board members apprised of negotiations; 2) provide clear performance benchmarks with the ability for VTA to withdraw from the agreement if timelines are not met; 3) provide stronger assessment of the number of affordable housing units for the project, and; 4) provide long term revenue opportunities.

M/S/C (Peralez/Chavez) on a vote of 9 ayes to 0 noes to 3 recusals to authorize the General Manager to enter into an Exclusive Negotiations Agreement (ENA) with Green Republic Blossom Hill LLC (a Joint Venture of Republic Urban Properties, Swenson, and EAH Housing) for negotiation of the proposed terms and conditions of a Joint Development Agreement for a Joint Development project at the Blossom Hill Station. Board Members Carrasco, Cortese and Liccardo recused.

RESULT:	ADOPTED – Agenda Item #7.1
MOVER:	Raul Peralez, Board Member
SECONDER:	Cindy Chavez, Vice Chairperson
AYES:	Carr, Chavez, Davis, Diep, McAlister, Miller, O’Neill, Peralez, Tran
NOES:	None
ABSENT:	Non
RECUSED:	Carrasco, Cortese, Liccardo

Board Members Carrasco and Liccardo returned to their seats at 7:11 p.m.

8. OTHER ITEMS

8.1. General Manager Report

Nuria I. Fernandez, General Manager/CEO, provided a report, highlighting the following:

- Release of the 2018 VTA Annual Report

- On February 25, 2019, VTA won first place in the American Public Transportation Association AdWheel Award for its Destinations Campaign.
- Outreach efforts for the Draft 2019 New Transit Service Plan.
- On March 8, 2019, VTA in partnership with Caltrans, held a groundbreaking event for Phase 3 of the Silicon Valley Express Lanes Project, and on March 22nd at 10:30 a.m. at the Sheraton Hotel Sunnyvale Parking lot, VTA along with partners Caltrans and the City of Sunnyvale, will celebrate the Mathilda Avenue improvements of SR 237 and US 101.
- VTA launched a carpool promotion with Waze and Scoop to reduce solo driving.
- VTA will participate in the American Public Transportation Association's (APTA) National Get on Board Day on April 25, 2019, which is dedicated to increasing support and utilization of Public Transit.

Inez Evans, Chief Operating Officer, provided the February 2019 Ridership report.

Angelique Gaeta, Chief of System Safety & Security, provided an update on System Safety and Security.

Board Member Cortese returned to his seat at 7:24 p.m.

8.1.A. Government Affairs Report

Ms. Fernandez noted that the Government Affairs Update was in the Board Members' reading folders and public binder.

Public Comment

Mr. Boon encouraged the Board to support legislation for cameras used at traffic signals/speeding cameras to help reduce traffic speed.

8.1.B. Silicon Valley Rapid Transit (SVRT) Program Update

Dennis Ratcliffe, Deputy Director, SVRT/BART Capital Program, introduced Jorge Martinez, Silicon Valley Berryessa Extension (SVBX) Project Manager, Bechtel. They provided a brief report on Phase I and Phase II of the BART Silicon Valley Program.

- **VTA's BART Silicon Valley Phase II Extension Project – Creating Transit-Oriented Communities Update**

Mr. Golem and Jill Gibson, Consultant, provided a presentation entitled "VTA's BART Silicon Valley Phase II Extension Project – Creating Transit-Oriented Communities," highlighting: 1) Transit-Oriented Communities (TOCs) and Transit-Oriented Developments (TODs) – Defined; 2) VTA's BART Silicon Valley and TOCs; 3) TOD Strategy

Study; 4) City and Agency Engagement; 5) Stakeholder Engagement; 6) Study Phases; 7) Potential for TOD (2018-2040); 8) Study Outcome, and; 9) Next Steps.

Public Comment

Omar Chatty, Interested City, commented on the following: 1) requested staff measure the goals they are attempting to reach with the TOD; 2) use prior TOD experience to leverage a better solution, and; 3) evaluate emergency services, which will be necessary with the higher density.

Mr. Lebrun made the following comments: 1) avoid Diridon Station; and 2) study Stevens Creek Corridor including potential station locations.

Members of the Board made the following comments: 1) expressed appreciation for staff's work, and; 2) expressed interest in the opportunity for increased TODs in Downtown San Jose.

Board Members Diep and Peralez left their seats at 8:02 p.m.

Board Member Cortese left the meeting at 8:02 p.m.

8.2. Chairperson's Report

Chairperson O'Neill reported on the discussions held at the February 22, 2019, Board of Directors workshop on the future of transportation in Santa Clara County.

Board Members Diep and Peralez returned to their seats at 8:07 p.m.

8.3. ITEMS OF CONCERN AND REFERRAL TO ADMINISTRATION

Board Member McAlister made the following referrals: 1) referenced the "Priority Casa" discussion, noting the need to develop and lobby for a policy that ensures transportation dollars are not shifted to housing; 2) requested the "2021 Proposed Capital Projects Budget" be presented to the Board soon, and; 3) referenced the upcoming Capital Projects Committee (CPC) meeting and requested project alternatives be presented for the Eastridge to BART Regional Connector (EBRC) project.

Vice Chairperson Chavez requested staff outline the process the Board uses for projects and include decision points made along the way.

8.4. Unapproved Minutes/Summary Reports from VTA Committees, Joint Powers Boards (JPB), and Regional Commissions

8.4.A. VTA Standing Committees

- Capital Program Committee - There was no report.

- Governance and Audit (G&A) Committee – The February 7, 2019, Minutes were accepted as contained in the Agenda Packet.
- Congestion Management Program & Planning (CMPP) Committee - The February 21, 2019, Minutes were accepted as contained in the Reading Folder.
- Administration & Finance (A&F) Committee - The February 21, 2019, Minutes were accepted as contained in the Reading Folder.
- Safety, Security, and Transit Planning & Operations (SSTP&O) Committee - The February 22, 2019, Minutes were accepted as contained in the Reading Folder.

8.4.B. VTA Advisory Committees

- Technical Advisory Committee (TAC) - The February 13, 2019, Minutes were accepted as contained in the Agenda Packet.
- Citizens Advisory Committee (CAC) and 2000 Measure A Citizens Watchdog Committee (CWC) - The February 13, 2019, Minutes were accepted as contained in the Agenda Packet.
- Bicycle and Pedestrian Advisory Committee (BPAC) - The February 13, 2019, Minutes were accepted as contained in the Agenda Packet.
- Committee for Transportation Mobility and Accessibility (CTMA) - There was no report.
- Policy Advisory Committee (PAC) - The February 14, 2019, Minutes were accepted as contained in the Agenda Packet.

8.4.C. VTA Policy Advisory Boards (PAB)

- Eastridge to BART Regional Connector PAB (formerly Downtown East Valley PAB) - There was no report.
- State Route 85 Corridor PAB - The February 25, 2019, Minutes were accepted as contained in the Agenda Packet.
- Diridon Station Joint Policy Advisory Board - There was no report.

8.4.D. Joint and Regional Commissions

- Caltrain Peninsula Corridor Joint Powers Board - The March 7, 2019, Summary Notes were accepted as contained on the dais.
- 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.

Public Comment

Mr. Beekman referenced **Agenda Item #8.4.A.**, VTA Standing Committees, specifically the CPC minutes and expressed technology concerns. He also referenced the public comments he made at the February 22, 2019, SSTPO meeting.

8.5. Announcements

Board Member McAlister announced his upcoming trip to Washington, D.C., Department of Transportation to discuss transportation topics.

9. CLOSED SESSION

9.1. Recess to Closed Session at 8:21 p.m.

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

Name of Case: Maresca v. Santa Clara Valley Transportation Authority, et al. (Santa Clara County Superior Court Case No. 17-CV-313783)

- B.** Conference with Labor Negotiators
[Government Code Section 54957.6]

VTA Designated Representatives

Alberto Lara, Director of Business Services

Bob Escobar, Negotiator

Raj Srinath, Chief Financial Officer

Inez Evans, Chief Operating Officer

Employee Organizations

Amalgamated Transit Union, Local 265

9.2. Reconvene to Open Session at 8:38 p.m.

9.3. Closed Session Report

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

Name of Case: Maresca v. Santa Clara Valley Transportation Authority, et al. (Santa Clara County Superior Court Case No. 17-CV-313783)

Evelynn Tran, General Counsel, noted no reportable action was taken during closed session.

- B.** Conference with Labor Negotiators
[Government Code Section 54957.6]

VTA Designated Representatives

Alberto Lara, Director of Business Services

Bob Escobar, Negotiator

Raj Srinath, Chief Financial Officer

Inez Evans, Chief Operating Officer

Employee Organizations

Amalgamated Transit Union, Local 265

Ms. Tran noted no reportable action was taken during closed session.

10. ADJOURNMENT

On order of Chairperson O'Neill and there being no objection, the meeting was adjourned at 8:38 p.m.

Respectfully submitted,

Anita McGraw, Board Assistant
VTA Office of the Board Secretary