

## BOARD OF DIRECTORS MEETING

Thursday, January 6, 2022

### 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 Jones at 5:30 p.m. via video and teleconference.

Chairperson Jones indicated that the North East City Group made a slight change to their appointee to the VTA Board of Directors. He noted that Lisa Gillmor, representing the City of Santa Clara, is now the Regular Board Member and Carmen Montano, representing the City of Milpitas, is now the Board Alternate Member.

##### 1.1 ROLL CALL

Attendee Name	Title	Status
Margaret Abe-Koga	Ex-Officio	Present
Marie Blankley	Alternate Board Member	Absent
Pat Burt	Board Member	Present
Magdalena Carrasco	Board Member	Present
Cindy Chavez	Board Member	Present
Rich Constantine	Vice Chairperson	Present
Dev Davis	Alternate Board Member	Absent
Lisa Gillmor	Board Member	Present
Glenn Hendricks	Board Member	Present
Sergio Jimenez	Board Member	Present
Charles "Chappie" Jones	Chairperson	Present
Otto Lee	Alternate Board Member	Present
Lynette Lee-Eng	Alternate Board Member	Present
Sam Liccardo	Board Member	Present
Carmen Montano	Alternate Member	Present
Darcy Paul	Board Member	Present
Raul Peralez	Board Member	Present
Rob Rennie	Alternate Board Member	Present
Joe Simitian	Board Member	Absent

\* Alternates do not serve unless participating as a Member.

**A quorum was present.**

**1.2     Remarks from 2022 Chairperson Charles “Chappie” Jones**

Chairperson Jones noted he was honored to serve as the Chairperson of the VTA Board of Directors (Board). Chairperson Jones noted the goals for 2022, including: 1) supporting the General Manager’s VTA Forward Plan; 2) ongoing efforts on collaborating with cities in finding paths forward to resolve issues and improve the quality of life for all of constituents; and 3) addressing climate change.

Chairperson Jones thanked 2021 Chairperson Glenn Hendricks for his extraordinary leadership through a difficult and challenging time in 2021. Chairperson Jones thanked the Board Members for their diligence and insight. He also thanked the VTA employees for their service and dedication, especially throughout the pandemic.

**1.3     Orders of the Day**

Chairperson Jones noted that slight changes have been made to the Agenda in order to have a more efficient meeting.

Chairperson Jones noted staff’s request to defer **Agenda Item 6.17.**, Citizens Advisory Committee Appointment, to a future meeting.

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

<b>RESULT:</b>	<b>Accepted Orders of the Day – Agenda Item #1.3</b>
<b>MOVER:</b>	Sam Liccardo, Board Member
<b>SECONDER:</b>	Glenn Hendricks, Board Member
<b>AYES:</b>	Burt, Carrasco, Chavez, Constantine, Gillmor, Hendricks, Jimenez, Jones, Lee, Liccardo, Paul, Peralez
<b>NOES:</b>	None
<b>ABSENT:</b>	None

---

**2.     AWARDS AND COMMENDATION**

---

**2.1.     Board Chairperson Resolution 2021 - Glenn Hendricks**

The Board of Directors recognized Glenn Hendricks for his extraordinary leadership during a difficult and challenging 2021 year.

**Public Comment**

The following individuals addressed the Board and expressed their thanks to the former Board Chairperson Glenn Hendricks for his leadership:

- Joe, Interested Citizen
- Eugene Bradley, Silicon Valley Transit Users
- Blair Beekman, Interested Citizen

Former Chairperson Glenn Hendricks provided a recap of the challenges VTA has gone through in 2021 and highlighted VTA's accomplishments despite those challenges. He thanked VTA staff for their diligent work and for providing service to the community. He thanked his colleagues on the Board for being engaged and committed. He also noted his appreciation to the public for their support. He also paid respects to the VTA employees whose lives lost due to the tragedy and their families.

**M/S/C (Liccardo/Chavez)** on a vote of 11 ayes, 0 noes, and 1 abstention, to adopt **Resolution of Appreciation No. 2022.01.01** for 2021 VTA Board Chairperson Glenn Hendricks. Member Hendricks abstained.

<b>RESULT:</b>	<b>Adopted – Agenda Item #2.1</b>
<b>MOVER:</b>	Sam Liccardo, Board Member
<b>SECONDER:</b>	Cindy Chavez, Board Member
<b>AYES:</b>	Burt, Carrasco, Chavez, Constantine, Gillmor, Jimenez, Jones, Lee, Liccardo, Paul, Peralez
<b>NOES:</b>	None
<b>ABSENT:</b>	None
<b>ABSTAIN:</b>	Hendricks

**2.2. Employees and Supervisor of the Quarter for the First Quarter of 2022**

The Board of Directors recognized Perlita Juria, Project Controls Specialist II, Capital Project Controls; Freddie Ferrer, Coach Operator, Cerone Transportation; and Marisa Salazar, Service Worker, North Maintenance as Employees of the First (1st) Quarter of 2022; and Connie Yu, Senior Accountant, Capital & Revenue Accounting Department as Supervisor of the First (1st) Quarter of 2022.

**3. PUBLIC COMMENT**

Bismark, VTA employee, expressed concern about the working environment in the Customer Service Department, and how it has affected his mental health.

Joe Kunzler, Interested Citizen, commented about the threats made at the VTA Policy Advisory Committee (PAC) meeting in December 2021 and thanked VTA for their swift action.

Blair Beekman, Interested Citizen, commented about the following: 1) verbal comments made by an interested citizen at the PAC meeting; 2) shot spotters at the Berryessa Bay Area Rapid Transit (BART) station.

John Courtney, President, Amalgamated Transit Union (ATU) Local 265, expressed support for VTA employee Bismark's comments regarding VTA's Customer Service Manager, and urged the Board to take swift action to address the hostile working environment.

---

## 4. PUBLIC HEARINGS

---

Board Members Chavez and Liccardo recused themselves from **Agenda Item 4.1.**, Authorize contracts for Cerone Solar Panel, Microgrid and Electric Bus Charging Project. They left the teleconference at 6:10 p.m.

### 4.1. Authorize contracts for Cerone Solar Panel, Microgrid and Electric Bus Charging Project

Adam Burger, Senior Transportation Planner, provided an overview of the staff report and provided a presentation entitled, “Authorize contracts for Cerone Solar Panel, Microgrid and Electric Bus Charging Project.”

#### Public Comment

Mr. Beekman commented about making decisions that would help better prepare for natural disasters.

Mr. Courtney urged the Board to create a training and maintenance plan and suggested that it remains within VTA.

A Member of the Board expressed support for staff’s recommendation and suggested that VTA staff heed to the public comment regarding a training plan.

**M/S/C (Hendricks/Gillmor)** on vote of 10 ayes, 0 noes, and 2 recusals to close hearing and approve taking the following actions as required by California Government Code 4217.12: (1) determine that the Cerone solar panel, microgrid, and electric bus charging contracts are in the best interests of VTA at a regularly scheduled public hearing, public notice of which is given at least two weeks in advance; (2) make the finding that the anticipated cost to VTA for electrical energy provided by the contracts will be less than the anticipated marginal cost to VTA of electrical and other energy that would have been consumed by VTA in the absence of the contracts; and (3) authorize staff to issue noncompetitive contracts to VTA's project partners (Scale Microgrid Solutions, Proterra, Lehigh University Engineering Department and PG&E) for the California Energy Commission's Zero-Emission Transit Fleet Infrastructure Deployment Grant. Board Members Chavez and Liccardo recused.

<b>RESULT:</b>	<b>Adopted – Agenda Item #4.1</b>
<b>MOVER:</b>	Glenn Hendricks, Board Member
<b>SECONDER:</b>	Lisa Gillmor, Board Member
<b>AYES:</b>	Burt, Carrasco, Constantine, Gillmor, Hendricks, Jimenez, Jones, Lee, Paul, Peralez
<b>NOES:</b>	None
<b>ABSENT:</b>	None
<b>RECUSAL:</b>	Chavez, Liccardo

Members Chavez and Liccardo returned to the teleconference at 6:16 p.m.

## **5. REPORTS**

---

### **5.1. Committee Reports**

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

Citizens Advisory Committee (CAC) Chairperson Swaminathan provided a brief report on the CAC meeting of December 8, 2021.

#### **5.1.b. Policy Advisory Committee (PAC) Chairperson's Report**

Policy Advisory Committee (PAC) Chairperson Moore provided a brief report on the PAC meeting of December 9, 2021.

#### **5.1.c. Standing Committee Chairpersons' Report**

Chairperson Jones noted that the Standing Committee Chairpersons' reports were available in the online agenda packet.

#### **5.1.d. Policy Advisory Board Chairpersons' Report**

Chairperson Jones noted there were no Policy Advisory Board Chairpersons' reports.

#### **Public Comment**

Mr. Beekman commented about the following: 1) free rides on transit; and 2) collaborating with other agencies for better ideas.

### **5.2 General Manager Report**

Carolyn M. Gonot, General Manager/CEO, provided a report, highlighting the following: 1) COVID-19 Testing and Vaccines for employees; 2) announced January is Human Trafficking Awareness month; 3) VTA's partnership for Wildlife Connectivity along SR 152, with the purpose to prevent collisions between wildlife and vehicles; and 4) good news coverage recognizing the following employees: a) Bus Operator Felipe Begines, who credits his job with providing his family the stability to allow his kids to chase their academic dreams; and b) Bus Operator Eric Shaunce, who was formerly homeless and now operates the very bus he would ride for shelter.

#### **5.2.a. Government Affairs Update**

Ms. Gonot noted that the Government Affairs written report was provided to the Board and can be found in the online agenda packet, along with the ridership and safety and security statistics.

**Public Comment**

Mr. Beekman thanked VTA staff for their efforts in getting employees vaccines and/or boosters.

Mr. Courtney thanked Ms. Gonot for sharing the Good News Coverage with the Board.

**6. CONSENT AGENDA**

---

Board Member Chavez noted that she would be recusing from the following **Agenda Items: #6.2.** Amendment to Outfront Media Advertising Agreement, **#6.3.** Amendment to Clear Channel Bus Shelter Advertising and Cleaning Agreement, and **#6.11.** Auditor General's Assessment Report – Part 1 VTA's BART Silicon Valley -Phase II Expenditures and Contract Oversight

Board Member Peralez noted that he would be recusing from the following **Agenda Items: #6.2.** Amendment to Outfront Media Advertising Agreement, **#6.3.** Amendment to Clear Channel Bus Shelter Advertising and Cleaning Agreement.

Board Member Liccardo referenced **Agenda Item 6.3.**, Amendment to Clear Channel Bus Shelter Advertising and Cleaning Agreement, and expressed concern about the five-year term.

Ron Golem, Director of Real Estate and Transit Oriented Development (TOD) clarified the intent around the "option for an additional five-year term" and reported that all VTA's contracts have the ability to terminate for convenience.

**Public Comment**

Mr. Beekman referred to **Agenda Item 6.12.**, General Liability & Workers' Compensation Reports with Payments & Settlements First Quarter FY 2022, and commented about the impacts of Covid-19.

**ADMINISTRATION AND FINANCE (A&F) COMMITTEE**

**6.1. Fiscal Year 2022 Statement of Revenues and Expenses for the Period Ending September 30, 2021**

**M/S/C (Paul/Constantine)** to review and accept the Fiscal Year 2022 Statement of Revenues and Expenses for the period ending September 30, 2021.

---

**CONGESTION MANAGEMENT PROGRAM & PLANNING (CMPP) COMMITTEE**

---

**6.2. Amendment to Outfront Media Advertising Agreement**

M/S/C (Paul/Constantine) on a vote of 10 ayes, 0 noes, and 2 recusals to authorize the General Manager to execute: (1) an amendment to the contract with Outfront Media to retroactively provide a 3-month waiver of the Minimum Annual Guarantee (MAG) payment between October 1 - December 31, 2021 due to impact of COVID-19 on transit advertising sales; and (2) additional waivers of MAG for the subsequent two quarters of Fiscal Year 2022 in the event of continuing pandemic impacts on transit advertising sales. Board Members Chavez and Peralez recused.

**6.3. Amendment to Clear Channel Bus Shelter Advertising and Cleaning Agreement**

M/S/C (Paul/Constantine) on a vote of 10 ayes, 0 noes, and 2 recusals to authorize the General Manager to execute an amendment to the contract with Clear Channel Outdoor, LLC (“CCO”) that modifies the existing option for an additional five year term, so that: (1) the Minimum Annual Guarantee (MAG) payment only applies to the portion of sales in excess of \$1.35 million per year; (2) the minimum payment to VTA for the first year will be \$250,000 and for the second year it will be \$300,000; (3) the General Manager is authorized to negotiate and execute a subsequent amendment modifying the minimum payment and MAG payments for years three through five; (4) Clear Channel will be allowed to terminate the contract at the end of the second year, with a minimum of nine-months advance notice to VTA; and (5) all other terms and conditions of the contract remain unchanged, including CCO’s obligations to perform bus shelter cleaning, maintenance, and repair. Board Members Chavez and Peralez recused.

**6.4. Adoption of the 2022 Legislation Program for the Santa Clara Valley Transportation Authority**

M/S/C (Paul/Constantine) to approve the 2022 Legislative Program for the Santa Clara Valley Transportation Authority.

**6.5. Update on VTA Naming Rights Program**

M/S/C (Paul/Constantine) to receive update on VTA Naming Rights Program.

---

**CONGESTION MANAGEMENT PROGRAM & PLANNING (CMPP) COMMITTEE**

**6.6. VTa Highway Program Cooperative Agreement**

M/S/C (Paul/Constantine) to authorize the General Manager to execute Cooperative Agreements with:

1. California Department of Transportation (Caltrans);
2. Cities and Towns of Santa Clara County and the County of Santa Clara;
3. State and regional agencies such as the California Highway Patrol (CHP) and the Metropolitan Transportation Commission (MTC);
4. Special Districts such as the Santa Clara Valley Open Space Authority and the Midpeninsula Regional Open Space District; and
5. Private parties such as Google

for planning, environmental, design, right of way, and construction phases of highway program and highway program-related projects.

**SAFETY, SECURITY, AND TRANSIT PLANNING & OPERATIONS (SSTP&O)  
COMMITTEE**

**6.7. Bus Stop Placement, Closures and Relocations Policy Update**

M/S/C (Paul/Constantine) to adopt the updated Bus Stop Placement, Closures and Relocations Policy.

**6.8. Fall 2021 Better Bus Stops Update**

M/S/C (Paul/Constantine) to receive an update on VTA's Better Bus Stops program.

**6.9. Customer Service Evolution into Customer Experience**

M/S/C (Paul/Constantine) to receive a report on Customer Service Evolution into Customer Experience.

**GOVERNANCE AND AUDIT (G&A) COMMITTEE**

**6.10. Auditor General's Assessment Report of VTA's Investment Program Controls**

M/S/C (Paul/Constantine) to review and accept the Auditor General's Assessment Report of VTA's Investment Program Controls.



**6.11. Auditor General's Assessment Report – Part 1 VTA's BART Silicon Valley - Phase II Expenditures and Contract Oversight**

M/S/C (Paul/Constantine) on a vote of 11 ayes, 0 noes, and 1 recusal to review and accept the Auditor General's report on the BART Silicon Valley - Phase II Assessment, Part 1 of 2 on expenditures and contract oversight. Board Member Chavez recused.

**6.12. General Liability & Workers' Compensation Reports with Payments & Settlements First Quarter FY 2022**

M/S/C (Paul/Constantine) to receive a report of incidents and claims with payments and settlements for General Liability and Workers' Compensation Claims. This report has been expanded to include COVID-19 incidents and claims in addition to incidents and claims arising out of the May 26, 2021 Guadalupe tragedy.

**BOARD OF DIRECTORS**

**6.13. Approve the Regular Meeting Minutes of December 2, 2021**

M/S/C (Paul/Constantine) to approve the Regular Meeting Minutes of December 2, 2021.

**6.14. Approve the Special Meeting Minutes of December 16, 2021**

M/S/C (Paul/Constantine) to approve the Special Meeting Minutes of December 16, 2021.

**6.15. Third Amendment to Employment Contract for General Counsel Evelyn Tran**

M/S/C (Paul/Constantine) to approve the Third Amendment to the employment contract between Santa Clara Valley Transportation Authority (VTA) and General Counsel Evelyn Tran (copy attached). The amendment provides for an increase in compensation comprised of a 5% increase in salary to \$273,620 and the addition of an employer-paid 401(a) contribution of 10% of her base salary. Her employment contract shall also be extended to expire on January 5, 2027.

**6.16. Ratification of Appointment to the Bicycle & Pedestrian Advisory Committee**

M/S/C (Paul/Constantine) to ratify the City of Campbell's mid-term appointment to the VTA Bicycle & Pedestrian Advisory Committee for the two-year term ending June 30, 2022.

**6.17. (Deferred)**

Ratify the appointments to the Citizens Advisory Committee.

**6.18.     Subsequent Resolution to Continue Remote Board and Committee Meetings**

M/S/C (Paul/Constantine) to adopt a subsequent **Resolution No. 2022.01.02** authorizing the Santa Clara Valley Transportation Authority (VTA) Board of Directors and all standing, advisory, policy, oversight, steering, and inter-agency committees and subcommittees of the Board to continue to meet by remote teleconference, subject to the requirements of Assembly Bill 361 (Rivas).

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

M/S/C (Paul/Constantine) to receive unapproved Minutes/Summary Reports from VTA Committees, Joint Powers Boards (JPB), and Regional Commissions.

<b>RESULT:</b>	<b>Approved – Agenda Items # 6.1, 6.4-6.10, 6.12-6.16; 6.18-6.19</b>
<b>MOVER:</b>	Darcy Paul, Board Member
<b>SECONDER:</b>	Rich Constantine, Vice Chairperson
<b>AYES:</b>	Burt, Carrasco, Chavez, Constantine, Gillmor, Hendricks, Jimenez, Jones, Lee, Liccardo, Paul, Peralez
<b>NOES:</b>	None
<b>ABSENT:</b>	None

<b>RESULT:</b>	<b>Approved – Agenda Items #6.2 and #6.3</b>
<b>MOVER:</b>	Darcy Paul, Board Member
<b>SECONDER:</b>	Rich Constantine, Vice Chairperson
<b>AYES:</b>	Burt, Carrasco, Constantine, Gillmor, Hendricks, Jimenez, Jones, Lee, Liccardo, Paul
<b>NOES:</b>	None
<b>ABSENT:</b>	None
<b>RECUSAL:</b>	Chavez, Peralez

<b>RESULT:</b>	<b>Approved – Agenda Item #6.11</b>
<b>MOVER:</b>	Darcy Paul, Board Member
<b>SECONDER:</b>	Rich Constantine, Vice Chairperson
<b>AYES:</b>	Burt, Carrasco, Constantine, Gillmor, Hendricks, Jimenez, Jones, Lee, Liccardo, Paul, Peralez
<b>NOES:</b>	None
<b>ABSENT:</b>	None
<b>RECUSAL:</b>	Chavez

## **7. CLOSED SESSION**

---

### **Public Comment**

Mr. Courtney thanked Ms. Gonot for her willingness to help achieve a tentative agreement.

Mr. Beekman expressed support for the collaboration between VTA staff, unions and the Board.

### **7.1 Recessed to Closed Session at 6:44 p.m.**

- A. Conference with Labor Negotiators  
(Government Code Section 54957.6)

#### VTA Designated Representatives

Carolyn Gonot, General Manager/CEO

Jaye Bailey, Deputy Director of Employee Relations & Civil Rights

Greg Richardson, Chief Financial Officer

#### Employee Organization

American Federation of State, County, and Municipal Employees (AFSCME) Local 101

Amalgamated Transit Union (ATU), Local 265

Service Employees International Unions (SEIU) Local 521

Transportation Authority Engineers and Architects Association (TAEA) Local 21

### **7.2 Reconvened to Open Session at 7:12 p.m.**

### **7.3 Closed Session Report**

- A. Conference with Labor Negotiators  
(Government Code Section 54957.6)

#### VTA Designated Representatives

Carolyn Gonot, General Manager/CEO

Jaye Bailey, Deputy Director of Employee Relations & Civil Rights

Greg Richardson, Chief Financial Officer

#### Employee Organization

American Federation of State, County, and Municipal Employees (AFSCME) Local 101

Amalgamated Transit Union (ATU), Local 265

Service Employees International Unions (SEIU) Local 521

Transportation Authority Engineers and Architects Association (TAEA) Local 21

Evelynn Tran, General Counsel, noted no reportable action was taken during Closed Session.

---

## 8. REGULAR AGENDA

---

### ADMINISTRATION AND FINANCE (A&F) COMMITTEE

*There were no items submitted for the Regular Agenda from the Administration & Finance Committee.*

### CONGESTION MANAGEMENT PROGRAM & PLANNING (CMPP) COMMITTEE

*There were no items submitted for the Regular Agenda from the Congestion Management Program & Planning Committee.*

### SAFETY, SECURITY, AND TRANSIT PLANNING & OPERATIONS (SSTP&O) COMMITTEE

*There were no items submitted for the Regular Agenda from the Safety, Security, and Transit Planning & Operations Committee.*

### GOVERNANCE AND AUDIT (G&A) COMMITTEE

*There were no items submitted for the Regular Agenda from the Governance and Audit Committee.*

### BOARD OF DIRECTORS

#### 8.1. Amalgamated Transit Union (ATU)/Local 265 Contract 2021

Jaye Bailey, Deputy Director of Employee Relations and Civil Rights, provided an overview of the staff report.

#### Public Comment

Mr. Beekman commented about the following: 1) reiterated comments about the collaboration between staff and ATU; and 2) if VTA staff could provide a time estimate for future closed session items.

Board Member Liccardo thanked all parties for their collaboration in reaching a tentative agreement during difficult times, but expressed concern about the duration of the agreement, due to VTA's structural deficit.

**M/S/C (Chavez/Constantine)** on a vote of 11 ayes, 1 no; and 0 abstentions, to approve and formally adopt a successor labor agreement negotiated between the Santa Clara Valley Transportation Authority (VTA) and Amalgamated Transit Union (ATU)/Local 265. Board Member Liccardo opposed.

<b>RESULT:</b>	<b>Approved – Agenda Item #8.1</b>
<b>MOVER:</b>	Cindy Chavez, Board Member
<b>SECONDER:</b>	Rich Constantine, Vice Chairperson
<b>AYES:</b>	Burt, Carrasco, Chavez, Constantine, Gillmor, Hendricks, Jimenez, Jones, Lee, Paul, Peralez
<b>NOES:</b>	Liccardo
<b>ABSENT:</b>	None

**8.2. 2022 Board Member Committee Appointments and PAB Extensions**

**Public Comment**

Mr. Beekman noted the importance of working together with other regional agencies such as the California High Speed Rail, Metropolitan Transportation Commission, and Alameda County.

**M/S/C (Chavez/Hendricks)** to approve appointments to Board Standing Committees, Joint Powers Boards, Policy Advisory Boards, and Ad Hoc Committees for 2022.

<b>RESULT:</b>	<b>Approved – Agenda Item #8.2</b>
<b>MOVER:</b>	Cindy Chavez, Board Member
<b>SECONDER:</b>	Glenn Hendricks, Board Member
<b>AYES:</b>	Burt, Carrasco, Chavez, Constantine, Gillmor, Hendricks, Jimenez, Jones, Lee, Liccardo, Paul, Peralez
<b>NOES:</b>	None
<b>ABSENT:</b>	None

**8.3. Silicon Valley Rapid Transit (SVRT) Program Update**

Takis Salpeas, BART Silicon Valley Extension Project Chief, provided an update and presentation entitled VTA's BART Silicon Valley Phase II Extension.

**Public Comment**

Mr. Beekman thanked staff for their planning efforts, and requested staff to be open to other ideas.

Mr. Bradley asked about impacts to the project schedule and costs if the contractor run into issues with tunneling for Phase II.

Upon inquiry of Board Member Chavez, Ms. Gonot reported that VTA staff plans to bring a full report on Disadvantage Business Enterprise (DBE) for the Phase II project.

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

**8.4     SB 129 Joint Labor Management Committee Update**

Brandi Childress, Chief of Staff, provided an update highlighting the following: 1) the 20-million-dollar state grant final review and approval timeframe; 2) resiliency centers limited hours over the holiday; and 3) status of the organizational culture and climate transformation consultant Request for Proposal (RFP).

A Member of the Board requested the following related to the organizational of culture and climate project: 1) that the RFP be sent to Board Members for further outreach; 2) that the project will include innovative approaches; and 3) that the Committee will be able to have an opportunity to assess the applicants.

**On order of Chairperson Jones** and there being no objection, the Board received an update from SB 129 Joint Labor Management Committee

**9.     OTHER ITEMS**

---

**9.1.     ITEMS OF CONCERN AND REFERRAL TO ADMINISTRATION**

There were no items of Concern and Referral to Administration.

**9.2.     Announcements**

There were no Announcements.

**9.3.     Public Comment**

There were no Public Comments.

**7.     CLOSED SESSION (CONTINUED)**

---

**Public Comment**

Mr. Beekman commented about open public policies and transparency.

**7.1     Recessed to Closed Session at 7:44 p.m.**

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

Name of Case: Rudometkin v. Santa Clara Valley Transportation Authority  
(Workers Compensation Appeals Board, ADJ15444225)

**C. Conference with Legal Counsel – Anticipated Litigation**  
[Government Code Section 54956.9(d)(2)]

Significant Exposure to Litigation: Multiple Cases Multiple Cases related to May 26, 2021, incident

**7.2 Reconvened to Open Session at 9:28 p.m.**

**7.3 Closed Session Report**

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

Name of Case: Rudometkin v. Santa Clara Valley Transportation Authority  
(Workers Compensation Appeals Board, ADJ15444225)

Ms. Tran noted no reportable action was taken during Closed Session.

**C. Conference with Legal Counsel – Anticipated Litigation**  
[Government Code Section 54956.9(d)(2)]

Significant Exposure to Litigation: Multiple Cases Multiple Cases related to May 26, 2021, incident

Ms. Tran noted no reportable action was taken during Closed Session.

**10. ADJOURNMENT**

---

**On order of Chairperson Jones** and there being no objection, the meeting was adjourned at 9:29 p.m.

Respectfully submitted,

Theadora Abraham, Board Assistant  
VTA Office of the Board Secretary