

## BOARD OF DIRECTORS MEETING

Thursday, May 7, 2020

### MINUTES

#### 1. CALL TO ORDER AND ROLL CALL

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The Regular Meeting of the Santa Clara Valley Transportation Authority's (VTA) Board of Directors (Board) was called to order by Chairperson Chavez at 5:33 p.m. via video and teleconference.

##### 1.1. ROLL CALL

Attendee Name	Title	Status
Marie Blankley	Alternate Board Member	N/A
Jeannie Bruins	Ex-Officio Member	Present
Larry Carr	Board Member	Present
Magdalena Carrasco	Board Member	Present
Cindy Chavez	Chairperson	Present
David Cortese	Board Member	Absent
Dev Davis	Alternate Board Member	N/A
Lan Diep	Board Member	Present
Susan Ellenberg	Alternate Board Member	Absent
Glenn Hendricks	Vice Chairperson	Present
Charles "Chappie" Jones	Board Member	Present
Liz Kniss	Alternate Board Member	Present
Sam Liccardo	Board Member	Present
John McAlister	Board Member	Present
Howard Miller	Alternate Board Member	Present
Bob Nuñez	Board Member	Present
Teresa O'Neill	Alternate Board Member	Present
Raul Peralez	Board Member	Present
Rob Rennie	Board Member	Present

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

**A quorum was present.**

##### 1.2. Pledge of Allegiance

The Pledge of Allegiance commenced.

### **1.3. Orders of the Day**

Chairperson Chavez noted staff's request to remove Closed Session **Agenda Item #9.1.A.,**Conference with Legal Counsel - Anticipated Litigation from the Agenda.

**On order of Chairperson Chavez,** and there being no objection, the Board accepted the Orders of the Day.

<b>RESULT:</b>	<b>ACCEPTED – Orders of the Day</b>
<b>AYES:</b>	Carr, Carrasco, Chavez, Diep, Hendricks, Jones, Liccardo, McAlister, Nuñez, Peralez, Rennie
<b>NOES:</b>	None
<b>ABSENT:</b>	Cortese

## **2. AWARDS AND COMMENDATION**

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There were no Awards and Commendations.

## **3. PUBLIC COMMENT**

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David Page, 350 Silicon Valley, expressed support for Chairperson Chavez's commute free initiative proposal at the Santa Clara County Board of Supervisors meeting on May 5, 2020.

Mr. Roland, Interested Citizen, expressed concern about the Board agenda with the number of canceled meetings and requested that some items go back to Committees for review.

Arohi Behara, Interested Citizen, commented on the following: 1) social distancing on the VTA system and personal protective equipment; and 2) keeping the current cleaning levels when the Shelter in Place Order is lifted.

Mr. Blair B., Interested Citizen, commented on high speed rail.

Eugene Bradley, Interested Citizen, made the following comments: 1) expressed concern that Committee meetings were canceled; and 2) expressed support for Chairperson Chavez's commute free proposal.

Aleta Dupree, Interested Citizen, commented on the following: 1) Capitol Corridor train; and 2) BART.

Jaime Minden, Interested Citizen, commented on transferring 2016 Measure B funds to transit.

James, Interested Citizen, commented on being cautious about fully opening transit too soon.

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

Christine Pepin, Interested Citizen, commented on the following: 1) transit stability for all citizens in the County; and 2) requested VTA move 2016 Measure B funds to transit from highway programs.

Bruce Naegel, Interested Citizen, commented on keeping transit running and clean.

#### 4. PUBLIC HEARINGS

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4.1. **EBRC Parcels: EBRC 1392 (Montalbano), EBRC 1237 (PG&E), EBRC 1239 (Ravjer), EBRC 1350 (Pacific Bowie) and EBRC 1346 (Valley Water)**

Ron Golem, Director of Real Estate & Transit Oriented Development, provided a presentation, entitled “Eastridge to BART Regional Connector: Capitol Expressway Light Rail Project (EBRC).” The public hearing was opened for each property.

Robert Navarrette, Property Owner of 2530 Quimby Road (EBRC 1392), commented on the following: 1) VTA is damaging the property; 2) expressed concern about the owners installing fencing on their property with VTA’s proposed acquisition; and 3) this is not the right answer for the property and the community.

Ken Ronsse, Deputy Director, Rail and Facilities, provided additional information about the area of the property being discussed and the potential impact on the area without acquisition of the property.

Nicholas Muscolino, Special Counsel to the Santa Clara Valley Water District (Valley Water) (EBRC 1346), expressed the following concerns: 1) the required maintenance of the channel every two to three years; 2) moving utilities underground; and 3) government code being referenced.

Evelynn Tran, General Counsel, noted a second letter was received from Valley Water and VTA’s legal counsel has not formally responded. Ms. Tran addressed the following in response to Valley Water’s letter: 1) when assessing, the Board should look at the project as a whole and not one piece of it; 2) the condemning agency has leeway to plan and engineer its project; 3) this property is currently used as public use and VTA has a greater need or necessity or that public use being acquired has a compatible use; and 4) contemplation of law for the parties to come together for a joint use plan.

Mr. Golem provided clarification on the following regarding EBRC 1346: 1) the speaker provided a good summary of the issues to be addressed; 2) the conversation between VTA, Valley Water and Pacific, Gas, and Electric (PG&E); and 3) VTA cannot continue the discussion to the next meeting because time is pressing.

**Public Comment**

Mr. Bradley inquired about VTA working cooperatively with PG&E and Valley Water.

Mr. Naverette raised concern about the EBRC project going forward.

**M/S/C (Hendricks/Diep)** on a vote of 9 ayes to 2 noes to close the Public Hearing and adopt **Resolution No. 2020.05.11, Resolution No. 2020.05.12, Resolution No. 2020.05.13, and Resolution No. 2020.05.14** determining that the public interest and necessity require the acquisition of the property interests from four properties owned by: (1) Caroline Montalbano, Rosalie Montalbano and Joséphine Montalbano, individually and as Trustee under the Will of Joséph Montalbano, deceased, and by the Decree of Distribution of the Estate, a certified copy of which was recorded May 24, 1985, Book J355, Page 2288, located in San José, California; (2) Pacific Gas and Electric Company, a California corporation, located in San José, California; (3) Rayjer Properties, LLC, a California limited liability company, located in San José, California; and (4) Pacific/Bowie-El Cerrito, a California general partnership, located in San José, California. Board Members Carr and McAlister opposed.

**Property ID/Assessor's Parcel Number/Owner**

**Resolution No. 2020.05.11** - EBRC 1392 (APN 491-37-106) owned by Caroline Montalbano, Rosalie Montalbano and Joséphine Montalbano, individually and as Trustee under the Will of Joséph Montalbano, deceased, and by the Decree of Distribution of the Estate, a certified copy of which was recorded May 24, 1985, Book J355, Page 2288.

**Resolution No. 2020.05.12** - EBRC 1237 (APN 491-15-041) owned by Pacific Gas and Electric Company, a California corporation.

**Resolution No. 2020.05.13** - EBRC 1239 (APN 491-02-073 and 491-02-074) owned by Rayjer Properties, LLC, a California limited liability company.

**Resolution No. 2020.05.14** - EBRC 1350 (APN 491-02-069, 491-02-070, 491-02-071, and 491-02-072) owned by Pacific/Bowie-El Cerrito, a California general partnership.

<b>RESULT:</b>	<b>ADOPTED – to close the Public Hearing and adopt Resolutions for EBRC 1392, EBRC 1237, EBRC 1239, and EBRC 1350</b>
<b>MOVER:</b>	Glenn Hendricks, Vice Chairperson
<b>SECONDER:</b>	Lan Diep, Board Member
<b>AYES:</b>	Carrasco, Chavez, Diep, Hendricks, Jones, Liccardo, Nuñez, Peralez, Rennie
<b>NOES:</b>	Carr, McAlister
<b>ABSENT:</b>	Cortese

**M/S/F (Hendricks/Jones)** on a vote of 7 ayes to 3 noes to 1 refusal to close the Public Hearing and adopt a resolution determining that the public interest and necessity require the acquisition of the property interests from the property owned by Santa Clara Valley Water District, a public corporation, aka Santa Clara County Flood Control and Water District, a public corporation, located in San José, California for the Eastridge to BART Regional Connector: Capitol Light Rail Project (EBRC). Board Members Carr, McAlister, and Rennie opposed. Chairperson Chavez recused.

**Property ID/Assessor's Parcel Number/Owner**

EBRC 1346 (APN 491-02-066 and 491-48-006) owned by Santa Clara Valley Water District, a public corporation, aka Santa Clara County Flood Control and Water District, a public corporation.

<b>RESULT:</b>	<b>FAILED – Adopt a Resolution for EBRC 1346</b>
<b>MOVER:</b>	Glenn Hendricks, Vice Chairperson
<b>SECONDER:</b>	Chappie Jones, Board Member
<b>AYES:</b>	Carrasco, Diep, Hendricks, Jones, Liccardo, Nuñez, Peralez
<b>NOES:</b>	Carr, McAlister, Rennie
<b>RECUSALS:</b>	Chavez
<b>ABSENT:</b>	Cortese

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## **5. COMMITTEE REPORTS**

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

There was no Citizen Advisory Committee (CAC) Chairperson's report.

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

There was no Policy Advisory Committee (PAC) Chairperson's report.

### **5.3. Standing Committee Chairpersons' Report**

Chairperson Carr provided a report on the Administration and Finance (A&F) Committee meeting of April 16, 2020.

### **5.4. Policy Advisory Board Chairpersons' Report**

There were no Policy Advisory Board (PAB) Chairpersons' reports.

**NOTE:** M/S/F MEANS MOTION SECONDED AND FAILED.

**Public Comment**

Mr. Roland made the following comments: 1) inquired about the difference between a PAB and the PAC; and 2) noted there was no PAC report because there was no meeting.

Mr. Blair suggested VTA hold more Committee meetings in June, July, and August.

**6. CONSENT AGENDA**

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Board Member McAlister requested to move **Agenda Item# 6.1**, Silicon Valley Express Lanes Program Phase 4 – HNTB Corporation Contract Amendment, from the Consent Agenda to the Regular Agenda.

Board Member McAlister referenced **Agenda Item #6.10**, 2000 Measure A Semi-Annual Report Ending December 31, 2019, and inquired about the status of the People Mover at San José International Airport. Deborah Dagang, Director of Planning & Programming, responded the City of San José is discussing options.

Board Member McAlister referenced **Agenda Item #6.4**, Minor Amendment to the VTA Administrative Code to Delegate to the VTA General Counsel Certain Authority to Initiate Litigation, noting the following: 1) the item came from the Ad Hoc Board Enhancement Committee; and 2) it makes the job of the General Counsel more efficient.

Board Member Carr referenced **Agenda Item #6.10**, 2000 Measure A Semi-Annual Report Ending December 31, 2019, inquiring if Caltrain electrification from Palo Alto to Gilroy is a mistake as written in the staff report. Ms. Dagang will look into the matter.

**Public Comment**

Mr. Roland made the following comments: 1) referenced **Agenda Item #6.4**, Minor Amendment to the VTA Administrative Code to Delegate to the VTA General Counsel Certain Authority to Initiate Litigation, requested a monthly report from the General Counsel; and 2) referenced **Agenda Item #6.10**, 2000 Measure A Semi-Annual Report Ending December 31, 2019, noting that the item was supposed to be heard at the PAC meeting.

Mr. Blair made the following comments: 1) referenced **Agenda Item #6.2**, 2016 Measure B Expressway Cooperative Agreement with Santa Clara County, applauding the Board for their green efforts; and 2) referenced **Agenda Item #6.3**, Berryessa Extension Project Contract 15001F (C671) VTA Communication Backbone Network, Contract Amendment, noting it is about an electric deal on First Street.

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

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**6.1 (Removed from the Consent Agenda and placed on the Regular Agenda)**

Authorize the General Manager to execute Contract Amendment 6 with HNTB Corporation in the amount of \$431,000 for a new total contract amount of \$6,330,525 to complete Final Design and Right-of-Way Engineering Services for the Silicon Valley Express Lanes Program Phase 4 Project.

**6.2 2016 Measure B Expressway Cooperative Agreement with Santa Clara County**

M/S/C (Hendricks/Nuñez) to authorize the General Manager to execute a cooperative agreement with the County of Santa Clara for 2016 Measure B County Expressway Program Category funds for 1) delivery of the seven distinct projects listed; 2) Annual Expressway Intelligent Transportation System/Signal Systems improvement project delivery and construction; and 3) Program-level activities for the validation, financing, phasing-strategy, and delivery of all projects in the County Expressway Program Category.

**6.3 Berrvessa Extension Project Contract 15001F (C671) VTA Communication Backbone Network, Contract Amendment**

M/S/C (Hendricks/Nuñez) to authorize the General Manager to amend construction Contract 15001F (C671) for the installation of a VTA Communication Backbone Network with Aldridge Electric, Inc., in an amount of \$1,053,375 resulting in a new total authorization contract amount of \$7,860,500 and increasing the General Manager's contract amendment authority provided by the VTA Administrative Code from 15% to 25% of this recommended amendment amount.

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

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**6.4 Minor Amendment to the VTA Administrative Code to Delegate to the VTA General Counsel Certain Authority to Initiate Litigation**

M/S/C (Hendricks/Nuñez) to adopt **Resolution No. 2020.05.16** approving a minor amendment to the VTA Administrative Code to delegate certain authority to the VTA General Counsel to initiate litigation.

**6.5 Scope of Work – Annual Financial Audit FY 2020**

M/S/C (Hendricks/Nuñez) to review and receive the scope of work for Annual Financial Audit Services for Fiscal Year 2020.

**BOARD OF DIRECTORS**

**6.6 Regular Meeting Minutes of April 2, 2020**

M/S/C (Hendricks/Nuñez) to approve the Regular Meeting Minutes of April 2, 2020.

**6.7 Special Meeting Minutes of April 2, 2020**

M/S/C (Hendricks/Nuñez) to approve the Special Meeting Minutes of April 2, 2020.

**6.8 Special Meeting Minutes of April 17, 2020**

M/S/C (Hendricks/Nuñez) to approve the Special Meeting Minutes of April 17, 2020.

**6.9 VTP Highway Program Semi-Annual Report Ending December 31, 2019**

M/S/C (Hendricks/Nuñez) to receive the Valley Transportation Plan (VTP) Highway Program Semi-Annual Report Ending December 31, 2019.

**6.10 2000 Measure A Semi-Annual Report Ending December 31, 2019**

M/S/C (Hendricks/Nuñez) to receive the 2000 Measure A Transit Improvement Program Semi-Annual Report Ending December 31, 2019.

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

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

<b>RESULT:</b>	<b>ADOPTED – Agenda Items #6.2-6.11</b>
<b>MOVER:</b>	Glenn Hendricks, Vice Chairperson
<b>SECONDER:</b>	Bob Nuñez, Board Member
<b>AYES:</b>	Carr, Carrasco, Chavez, Diep, Hendricks, Jones, Liccardo, McAlister, Nuñez, Peralez, Rennie
<b>NOES:</b>	None
<b>ABSENT:</b>	Cortese



## 7. REGULAR AGENDA

*There were no items submitted for the Regular Agenda from the Standing Committees.*

### BOARD OF DIRECTORS

#### 6.1 **Valley Express Lanes Program Phase 4 – HNTB Corporation Contract Amendment**

Casey Emoto, Chief Engineer & Program Delivery Officer, answered questions regarding the following: 1) the number of lanes impacted by phase 4; and 2) future extensions of the express lanes program.

#### **Public Comment**

Mr. Roland commented that express lanes allow single drivers to pay to bypass metering lights.

**M/S/C (Hendricks/Carr)** on a vote of 10 ayes to 1 no to authorize the General Manager to execute Contract Amendment 6 with HNTB Corporation in the amount of \$431,000 for a new total contract amount of \$6,330,525 to complete Final Design and Right-of-Way Engineering Services for the Silicon Valley Express Lanes Program Phase 4 Project. Board Member McAlister opposed.

<b>RESULT:</b>	<b>APPROVED – Agenda Item #6.1</b>
<b>MOVER:</b>	Glenn Hendricks, Vice Chairperson
<b>SECONDER:</b>	Larry Carr, Board Member
<b>AYES:</b>	Carr, Carrasco, Chavez, Diep, Hendricks, Jones, Liccardo, Nuñez, Peralez, Rennie
<b>NOES:</b>	McAlister
<b>ABSENT:</b>	Cortese

#### 7.1. **Silicon Valley Rapid Transit (SVRT) Program Update**

Takis Salpeas, Bay Area Rapid Transit (BART) Silicon Valley Extension Project Chief; Krishna Davey, Deputy Director, SVRT/BART Project Controls; and Shane Edwards, BART Rail Acceptance Officer, provided a presentation entitled “VTA’s BART Silicon Valley Berryessa Extension Project.”

#### **Public Comment**

The following members of the public expressed appreciation for VTA looking at redesigning Phase II of the BART expansion:

- Monica Mallon, Interested Citizen;
- David Ying, Interested Citizen;
- Scott Mace, Interested Citizen;

- Adina Levin, Interested Citizen;
- Stephanie Morris, Interested Citizen; and
- Adrian Brandt, Interested Citizen.

Ms. Dupree expressed appreciation that the discrepancies are being resolved.

Ms. Minden requested that VTA focus on public transit especially as the County comes out of shelter in place.

Mr. Roland applauded Mr. Salpeas for turning Phase I over to Mr. Edwards at BART.

Mr. Bradley commented on having a complete and integrated transit system in Santa Clara County.

Mr. Blair commented on the following: 1) redesign of Phase II; and 2) green sustainability at VTA.

**The Agenda was taken out of order.**

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#### **4. PUBLIC HEARINGS (continued)**

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##### **4.1. EBRC Parcels: EBRC 1392 (Montalbano), EBRC 1237 (PG&E), EBRC 1239 (Ravjer), EBRC 1350 (Pacific Bowie) and EBRC 1346 (Valley Water)**

Board Member Rennie requested to reconsider Item #4.1, Resolution of Necessity for Property ID EBRC 1346 owned by Valley Water.

**M/S/C (Rennie/Nuñez)** on a vote of 9 ayes to 1 no to 1 refusal to reconsider the vote for Item #4.1, Property ID EBRC 1346, determine that the public interest and necessity require the acquisition of the property interests from the property owned by Santa Clara Valley Water District, a public corporation, aka Santa Clara County Flood Control and Water District, a public corporation, located in San José, California for the Eastridge to BART Regional Connector: Capitol Light Rail Project (EBRC). Board Member McAlister opposed. Chairperson Chavez refused.

##### **Property ID/Assessor's Parcel Number/Owner**

EBRC 1346 (APN 491-02-066 and 491-48-006) owned by Santa Clara Valley Water District, a public corporation, aka Santa Clara County Flood Control and Water District, a public corporation.

<b>RESULT:</b>	<b>APPROVED – Reconsider the Vote for EBRC 1346</b>
<b>MOVER:</b>	Rob Rennie, Board Member
<b>SECONDER:</b>	Bob Nuñez, Board Member
<b>AYES:</b>	Carr, Carrasco, Diep, Hendricks, Jones, Liccardo, Nuñez, Peralez, Rennie
<b>NOES:</b>	McAlister
<b>RECUSALS:</b>	Chavez
<b>ABSENT:</b>	Cortese

**Public Comment**

Amalgamated Transit Union (ATU) 265 President, Interested Citizen, expressed concern about reconsidering a vote an hour later.

Mr. Blair commented that electromagnetic field issues may be a consideration.

**M/S/C (Jones/Liccardo)** on a vote of 8 ayes to 2 noes to 1 refusal to adopt **Resolution No. 2020.05.15** determining that the public interest and necessity require the acquisition of the property interests from the property owned by Santa Clara Valley Water District, a public corporation, aka Santa Clara County Flood Control and Water District, a public corporation, located in San José, California for the Eastridge to BART Regional Connector: Capitol Light Rail Project (EBRC). Board Members Carr and McAlister opposed. Chairperson Chavez refused.

**Property ID/Assessor’s Parcel Number/Owner**

**Resolution No. 2020.05.15** - EBRC 1346 (APN 491-02-066 and 491-48-006) owned by Santa Clara Valley Water District, a public corporation, aka Santa Clara County Flood Control and Water District, a public corporation.

<b>RESULT:</b>	<b>ADOPTED – Resolution for EBRC 1346</b>
<b>MOVER:</b>	Chappie Jones, Board Member
<b>SECONDER:</b>	Sam Liccardo, Board Member
<b>AYES:</b>	Carrasco, Diep, Hendricks, Jones, Liccardo, Nuñez, Peralez, Rennie
<b>NOES:</b>	Carr, McAlister
<b>RECUSALS:</b>	Chavez
<b>ABSENT:</b>	Cortese

**7.1. Silicon Valley Rapid Transit (SVRT) Program Update, continued**

Mr. Salpeas provided a presentation entitled “VTA’s BART Silicon Valley Phase II Extension Project.”

**Public Comment**

Mr. Roland made the following comments: 1) an engineering solution for S. Santa Clara should be examined; and 2) Diridon station needs cut and cover boxes to better integrate the different transit agencies at the station.

Ms. Dupree commented on the proposed Santa Clara station.

Mr. Blair commented that a double bore design is safer and cheaper.

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

**7.2. Contract with San José Police Department for Supplemental Law Enforcement Support Services**

Board Member Peralez noted he receives a salary from the City of San José, a per diem from VTA, and a reimbursement from the City of San José Police Department for his uniform as a reserve police officer. Under Government Code Section 1091.5(b)13, Board Member Peralez recused himself from the vote.

Board Member Peralez left his seat at 8:04 p.m.

Board Member Carrasco noted a Declaration of Non-interest for **Agenda Item #7.2**, Contract with San José Police Department for Supplemental Law Enforcement Support Services, on behalf of herself and Board Members Diep, Jones, and Liccardo who receive a salary from the City of San José and a per diem from VTA. Under Government Code Section 1091.5(a)9. Board Members Carrasco, Diep, Jones, and Liccardo have a non-interest and do not have to recuse themselves from the vote.

**Public Comment**

ATU 265 President made the following comments: 1) expressed concerned about the number of recusals, noting it is indicative of the influence the San José representatives have; and 2) applauded the Santa Clara County Sheriff's Office for the security services they provide.

Mr. Blair commented on technology.

**M/S/C (Diep/Carrasco)** on a vote of 10 ayes to 0 noes to 1 recusal to authorize the General Manager/CEO to execute a contract with the San José Police Department for supplemental law enforcement support services at Silicon Valley BART Extension's Berryessa Campus for a base contract period of two (2) years, from July 1, 2020 through June 30, 2022, and a base contract amount of \$4,345,697; with four (4) additional option periods to extend the contract through June 30, 2026, for a total contract amount not to exceed \$13,159,156. Board Member Peralez recused.

<b>RESULT:</b>	<b>APPROVED – Agenda Item #7.2</b>
<b>MOVER:</b>	Lan Diep, Board Member
<b>SECONDER:</b>	Magdalena Carrasco, Board Member
<b>AYES:</b>	Carr, Carrasco, Chavez, Diep, Hendricks, Jones, Liccardo, McAlister, Nuñez, Rennie
<b>NOES:</b>	None
<b>RECUSALS:</b>	Perez
<b>ABSENT:</b>	Cortese

Board Member Perez returned to his seat at 8:11 p.m.

**7.3. VTA Temporary Upgrade Pay Policy for Non-Represented Employees and Classifications**

Sylvester Fadal, Director of Human Resources, Procurement, & Contracts, provided a brief report.

**M/S/C (Hendricks/Jones)** to approve VTA’s policy on Temporary Upgrade Pay for Non-Represented Employees for Work Out of Classification (WOOC) assignments and Acting Pay requests.

<b>RESULT:</b>	<b>APPROVED – Agenda Item #7.3</b>
<b>MOVER:</b>	Glenn Hendricks, Vice Chairperson
<b>SECONDER:</b>	Chappie Jones, Board Member
<b>AYES:</b>	Carr, Carrasco, Chavez, Diep, Hendricks, Jones, Liccardo, McAlister, Nuñez, Perez, Rennie
<b>NOES:</b>	None
<b>ABSENT:</b>	Cortese

**7.4. Financial Impacts of COVID-19**

Raj Srinath, Deputy General Manager/Chief Financial Officer, and Franklin Wong, Deputy Director of Finance, Budget, & Program Management, provided a presentation, entitled “Financial Status Update – COVID-19.”

**Public Comment**

The following members of the public spoke on improving transit and not expanding highways:

- Mr. Mace;
- Dave, Interested Citizen;
- Mr. Bradley;
- Patrick, Interested Citizen; and
- Jessica Matthew, Interested Citizen.

Mallory Mitton, Interested Citizen, commented on riding Bus Line 54 and driving to school.

Mr. Roland commented on the CARES Act.

The following members of the public commented on the following: 1) personal protective equipment (PPEs) for drivers; 2) increased cleaning efforts; and 3) providing more funds for transit through a 2016 Measure B reallocation:

- Monica Mallon, Interested Citizen;
- Daniel Huyhn, Interested Citizen;
- Adina Levin, Interested Citizen;
- Haoi-An Truong, Interested Citizen;
- Helen Deng, Interested Citizen;
- Linda Hutchins-Knowles, Interested Citizen; and
- Peri Plantenberg, Interested Citizen.

Mr. Blair encouraged VTA to hold committee meetings in June and July.

Tammy Dhanota, SEIU 521 VTA Chair, encouraged VTA to continue working with the Unions on key topics.

ATU 265 President commented on the following: 1) safety for drivers; and 2) utilization of CARES Act funds.

**On order of Chairperson Chavez** and there being no objection, the Board of Directors received an update on the financial impacts of COVID-19.

## **8. OTHER ITEMS**

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### **8.1. General Manager Report**

Nuria I. Fernandez, General Manager/CEO, provided a report, highlighting the following: 1) mandatory face coverings and social distancing on VTA; 2) rider experience as shelter in place restrictions ease; 3) distribution of CARES Act money from Metropolitan Transportation Commission (MTC); 4) VTA's Annual Report; and 5) Northbound I-280/Foothill Boulevard off-ramp widening project.

Chairperson Chavez left the meeting at 8:54 p.m. and  
relinquished her seat to Vice Chairperson Hendricks.

### **Public Comment**

Mr. Bradley inquired if the public will be included on the improving transit ridership task force.

Mr. Blair commented on emerging from the COVID-19 pandemic.

Members of the Board discussed the facial covering requirement for riders.

**8.1.A. 2016 Measure B Update**

Ms. Fernandez noted the updated 2016 Measure B placement was distributed as reference.

**Public Comment**

Mr. Roland commented on a 2000 Measure A placement.

Mr. Blair commented on sustainability.

**8.1.B. Government Affairs Update**

Jim Lawson, Chief External Affairs Officer, provided a report, highlighting the following: 1) revised State funding being released later in the month; and 2) Governor Newsom's plan to re-open California, noting that Santa Clara County's restrictions are more stringent and will prevail.

**8.2. Chairperson's Report**

There was no Chairperson's Report.

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

There were no Items of Concern and Referral to Administration.

**8.4. Announcements**

There were no Announcements.

**9. CLOSED SESSION**

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**9.1.A (Removed from the Agenda.)**

Conference with Legal Counsel - Anticipated Litigation  
[Government Code Section 54956.9(d)(2)]

Significant Exposure to Litigation

No. of Potential Cases: multiple

**10. ADJOURNMENT**

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**On order of Vice Chairperson Hendricks** and there being no objection, the meeting was adjourned at 9:25 p.m.

Respectfully submitted,

Thalia Young, Board Assistant  
VTA Office of the Board Secretary