

BOARD OF DIRECTORS SPECIAL MEETING

Tuesday, July 13, 2021

MINUTES

1. CALL TO ORDER AND ROLL CALL

The Special Meeting of the Santa Clara Valley Transportation Authority's (VTA) Board of Directors (Board) was called to order by Chairperson Hendricks at 2:02 p.m. via video and teleconference.

1.1. ROLL CALL

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

* Alternates do not serve unless participating as a Member.

A quorum was present.

Chairperson Hendricks provided opening remarks. Chairperson Hendricks welcomed Carolyn Gonot as VTA General Manager/CEO.

Board Member Liccardo joined the teleconference and video meeting at 2:05 p.m.

Chairperson noted the agenda was revised and the FY 2022 and FY 2023 Biennial Budget Augmentation will be considered at a future meeting.

2. CLOSED SESSION

Public Comment

Blair Beekman, Interested Citizen, commented about the following: 1) VTA using best practices in decision making; and 2) time allotted for closed session.

Roland Lebrun, Interested Citizen, referenced Closed Session Item 2.C., Conference with Legal Counsel - Existing Litigation, and Closed Session Item 2.D Conference with Real Property Negotiators, and commented about the following: 1) the Bay Area Rapid Transit (BART) Phase I costs; and 2) inform the public about the property need.

Eugene Bradley, Silicon Valley Users, commented about showing compassion to others.

2.1. Recessed to Closed Session at 2:11 p.m.

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

Name of Case: Romo v. Santa Clara Valley Transportation Authority
(Workers Compensation Appeals Board, ADJ 14745130)

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

Significant Exposure to Litigation

No of Cases: 8 from primary surviving dependents of the May 26, 2021 event at Guadalupe Light Rail Facility

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

Name of Case: Skanska-Shimmick-Herzog v. Santa Clara Valley
Transportation Authority
(Santa Clara County Superior Court Case No. 19-CV-356027)

D. Conference with Real Property Negotiators [Government Code Section 54956.8]

Property: Office and warehouse space located at 1960 Zanker Road, Suite 10, San Jose, CA within the “Zanker Place” development.

Agency Negotiator: Ron Golem, Director, Real Estate & Transit-Oriented Development; Brittain Cheney, Senior Vice President, Cushman & Wakefield

Negotiating Parties: Matt Kruvant, Vice President, Washington Holdings

Under Negotiation: Terms and conditions of a space lease

Board Member Simitian joined the teleconference and video meeting at 2:33 p.m.

2.2. Reconvened to Open Session at 3:10 p.m.

2.3. Closed Session Report

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

Name of Case: Romo v. Santa Clara Valley Transportation Authority
(Workers Compensation Appeals Board, ADJ 14745130)

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

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

Significant Exposure to Litigation

No of Cases: 8 from primary surviving dependents of the May 26, 2021 event
at Guadalupe Light Rail Facility

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

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

Name of Case: Skanska-Shimmick-Herzog v. Santa Clara Valley
Transportation Authority
(Santa Clara County Superior Court Case No. 19-CV-356027)

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

D. Conference with Real Property Negotiators
[Government Code Section 54956.8]

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San Jose, CA within the “Zanker Place” development.

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Negotiating Parties: Matt Kruvant, Vice President, Washington Holdings

Under Negotiation: Terms and conditions of a space lease

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

3. SPECIAL MEETING ITEM

3.1 Plans for Resumption of Light Rail Service

Ms. Gonot, Robert Daniels, Transportation Superintendent, and Elizabeth Jespersen, Manager of Organizational & Human Capital Development, provided a presentation about the plans for resuming light rail service.

Public Comment

Mr. Lebrun provided the following comments: 1) the need for a permanent back-up facility; and 2) suggestions for a light rail back-up facility.

Mr. Bradley commented about the following: 1) concurred with Mr. Lebrun's comments; and 2) using CARES Act funding for bus bridge service.

Mr. Beekman commented about the following: 1) working together to develop best practices; 2) suggestions on how to resume bus bridges.

John Rainville, Interested Citizen, commented about the need to resume light rail service.

Monica Mallon, Interested Citizen, commented about the following: 1) expressed support for VTA's resuming light rail service plan; and 2) urged the public to have more patience with VTA.

Members of the Board and staff discussed the following: 1) grief counseling for VTA employees; 2) interim location for the impacted employees from the Guadalupe Yard; and 3) ongoing discussions between the various working groups and the labor partners about how to move forward.

On order of Chairperson Hendricks and there being no objection, the Board received a presentation on plans for resumption of light rail service

4. OTHER ITEMS

4.1. Announcements

There were no Announcements.

5. ADJOURNMENT

On order of Chairperson Hendricks and there being no objection, the meeting was adjourned at 3:39 p.m.

Respectfully submitted,

Theadora Abraham, Board Assistant
VTA Office of the Board Secretary