

BOARD OF DIRECTORS MEETING

Thursday, January 10, 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 5:30 p.m. in the Auditorium, 3331 North First Street, San José, California.

1.1. OATHS OF OFFICE

Chairperson O'Neill noted that there were no Oaths of Office to be administered.

Chairperson O'Neill welcomed both Regular Board Member Rob Rennie, who previously served as the Alternate Board Member; and returning Alternate Board Member Howard Miller, representing Group 3, West Valley Cities. Chairperson O'Neill noted that Alternate Board Member Miller was sworn in to the VTA Board of Directors in late December 2018.

1.2. ROLL CALL

Attendee Name	Title	Status
Jeannie Bruins	Ex-Officio Member	Absent
Larry Carr	Board Member	Present
Cindy Chavez	Board Member	Present
David Cortese	Alternate Board Member	Absent
Dev Davis	Alternate Board Member	Present
Lan Diep	Board Member	Present
Glenn Hendricks	Alternate Board Member	Present
Chappie Jones	Board Member	Present
Johnny Khamis	Board Member	Present
Sam Liccardo	Board Member	Absent
John McAlister	Board Member	Present
Howard Miller	Alternate Member	Present
Bob Nunez	Board Member	Absent
Teresa O'Neill	Chairperson	Present
Raul Peralez	Board Member	Present
Rob Rennie	Board Member	Present

*** A quorum was not present and a Committee of the Whole was declared.**

1.3. Pledge of Allegiance

The Pledge of Allegiance commenced.

1.4. Orders of the Day

Chairperson O'Neill noted the following: 1) referenced the revised agenda which reflected the addition of two other labor organizations under **Closed Session Item #9.1.D.**, Conference with Labor Negotiators; 2) **Agenda Item #6.2.**, Appointments to VTA Policy Advisory Boards has been revised to include the Cities of Campbell and Sunnyvale appointments to the SR 85 Corridor Policy Advisory Board; and the Bay Area Rapid Transit (BART) appointment to the Diridon Station Joint Policy Advisory Board; and 3) staff's request to defer **Closed Session Agenda Item #9.1.A.**, Conference with Legal Counsel – Existing Litigation.

Chairperson O'Neill noted that Closed Session would be held in Conference Room B-106.

2. AWARDS AND COMMENDATION

2.1. Employees and Supervisor of the Quarter for the 1st Quarter of 2019

The Board recognized Luke Travers, Senior Business Systems Analyst, Technology Department; Doug Keegan, Coach Operator, North Yard Operations; as Employees of the First (1st) Quarter of 2019; and Jon Maier, Management Analyst, Technology Department, as Supervisor of the 1st Quarter of 2019.

Robin Jackson, Bus Stop Maintenance Worker, Passenger Facilities Maintenance, was unable to attend the meeting, but was recognized by the Board as the Employee of the 1st Quarter of 2019.

The Agenda was taken out of order.

3. PUBLIC COMMENT

The following Service Employees International Union (SEIU), Local 521, members and VTA employees provided the following comments: 1) a living wage is needed; 3) members are forced to leave the area when they retire; 4) the SEIU negotiations team have finally made some improvement; 5) a maintenance apprentice program and signal maintenance training is a necessity; 6) many members face hardship due to lack of living wages; 7) losing talent to other agencies due to wages; 8) in the past employees had taken furlough days in order to help the deficit;

- Tammy Dhanota
- Ron Roberts
- Bill Hawthorne

- Kathleen Podrasky
- David White
- Tari Leikham

Sean Mulligan, Interested Citizen, made the following comments: 1) referenced the document he provided containing information from VTA consultant Jarrett Walker, and noted traffic congestion would exist even with autonomous vehicles; and 2) reported New York City passed a law that will begin collecting fees from Uber and Lyft to fund public transit.

Jerry Grace, Interested Citizen, noted that he is on the Bay Area People First Board.

Board Members Khamis and Peralez arrived and took their seats at 5:49 p.m.
and a quorum was established.

Board Member Diep arrived and took his seat at 5:50 p.m.

Tessa Woodmansee, Interested Citizen, commented on the following: 1) climate change; 2) electric vehicles and the need for corporations to help fund the vehicles; and 3) the need to go green.

Andrew Boone, Interested Citizen, made the following comments: 1) the meeting location is not convenient; 2) noted the importance to address climate change now; 3) the need for VTA to lead the way to reduce greenhouse gases; and 4) urged VTA to do more safety improvements for pedestrian and bicyclists.

Alternate Board Member Davis arrived and took her seat at 6:03 p.m.

Nelly Garibay, VTA Operator and Amalgamated Transit Union (ATU) Local 265 member, reported about the safety hazards for pedestrians and bicyclists along San Fernando and 10th street and noted the difficulty for Operators driving in that area. Ms. Garibay urged the Board to help fix the area before any accidents and or fatalities happen.

Nancy Plew, VTA Operator and Amalgamated Transit Union (ATU) Local 265 member, urged the Board not to cut after hours service on bus route 22, because many depend on the bus for warmth and use it to get home.

2. AWARDS AND COMMENDATION (CONTINUED)

Agenda Items #2.2 and #2.3 will be taken together.

2.2. Board Resolution of Appreciation

2.3. 2018 Outgoing Board Member Resolution

Chairperson O'Neill indicated that Sam Liccardo and Savita Vaidhyathan were unable

to attend tonight's meeting. She noted that the Board would take action on Agenda Items #2.2 and 2.3 together, and would present the Resolutions of Appreciation to them at the next Board meeting.

Public Comment

Ms. Woodmansee made the following comments: 1) noted the need for pedestrian and bicyclist safety improvements on streets and roads; 2) referenced San Jose Mayor Liccardo's bicycle accident and hopes now there will be safety improvements for bicyclists; and 3) disagrees with awarding both Board Member Vaidhyanathan and Chairperson Liccardo due to the failure of the El Camino Real Bus Rapid Transit (BRT) project.

Mr. Boone made the following comments: 1) referenced San Jose Mayor Liccardo's bicycle accident and urged the Board to find solutions so that accidents like these do not reoccur; and 2) noted VTA's capability to fix and make safety improvements on streets and roads for pedestrians and bicyclist.

M/S/C (Chavez/Hendricks) to adopt **Resolution of Appreciation No. 2019.01.01.** for 2018 VTA Board Chairperson Sam Liccardo.

RESULT:	ADOPTED [UNANIMOUS] – Agenda Item #2.2
MOVER:	Cindy Chavez, Vice Chairperson
SECONDER:	Glenn Hendricks, Alternate Board Member
AYES:	Carr, Chavez, Davis, Diep, Hendricks, Khamis, O'Neill, Peralez, Rennie
NOES:	None
ABSENT:	Cortese, Jones, McAlister

M/S/C (Chavez/Hendricks) to adopt **Resolution of Appreciation No 2019.01.02** for outgoing VTA Board Member Savita Vaidhyanathan.

RESULT:	ADOPTED [UNANIMOUS] – Agenda Item #2.3
MOVER:	Cindy Chavez, Vice Chairperson Member
SECONDER:	Glenn Hendricks, Alternate Board Member
AYES:	Carr, Chavez, Davis, Diep, Hendricks, Khamis, O'Neill, Peralez, Rennie
NOES:	None
ABSENT:	Cortese, Jones, McAlister

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

1.4. Orders of the Day (Continued)

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

RESULT:	ACCEPTED [UNANIMOUS] – Agenda Item #1.4
MOVER:	Cindy Chavez, Vice Chairperson
SECONDER:	Raul Peralez, Board Member
AYES:	Carr, Chavez, Davis, Diep, Hendricks, Khamis, O'Neill, Peralez, Rennie,
NOES:	None
ABSENT:	Cortese, Jones, McAlister

4. PUBLIC HEARINGS

There were no public hearings.

5. COMMITTEE REPORTS

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

There was no Citizens Advisory Committee report.

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

There was no Policy Advisory Committee report.

5.3. Standing Committee Chairpersons' Report

Administration and Finance Committee Chairperson O'Neill provided a report on the items discussed at the December 20, 2018, A&F meeting.

Congestions Management Program and Planning Committee Chairperson Khamis provided a report on the items discussed at the December 20, 2018, CMPP meeting.

Safety, Security, and Transit Planning & Operations (SSTPO) Committee Chairperson Chavez provided a report on the items discussed at the December 21, 2018, SSTPO Committee meeting

5.4. Policy Advisory Board Chairpersons' Report

Chairperson O'Neill noted that the State Route (SR) 85 Corridor Policy Advisory Board report was in the Board Members reading folders.

6. CONSENT AGENDA

Chairperson O'Neill directed attention to the letter provided by Board Member Liccardo pertaining to Consent Agenda **Item #6.11** – VTA Land Use and Development Review Policy. She noted that Board Member Liccardo recommended approving the draft policy, with direction to return within four months to present for Board discussion modifications that will:

1. Promote and incentivize new development in such a pattern that reduces or at a minimum, does not exacerbate existing land use imbalances that worsen regional traffic congestion.
2. In locations where there has been regional or state investment in fixed-route transit (i.e., BRT, CalTrain, light rail, and BART), promote and incentivize minimum densities within proximity of those transit stations to improve utilization of the public fiscal investment in transit.

Nuria I. Fernandez, General Manager/CEO, thanked Board Member Liccardo for bringing his concerns to the Board's attention, noting VTA is supportive of the recommendations and will continue to work with the cities and will bring a report back in four months showing the modifications as necessary.

Public Comment

Aboubacar Ndiaye, Working Partnerships, referenced **Agenda Item #6.11.**, VTA Land Use and Development Review Policy, and **Agenda Item #6.14.**, Transit Sustainability Project Update, and made the following comments: 1) expressed support for land use development; 2) seek opportunities to speed up service; and 3) improve land use around bus lines and light rail.

Ms. Woodmansee referenced **Agenda Item #6.4.**, Approve 2019 Legislative Program for VTA, and encouraged VTA to get involved at the state level in pushing the use of cameras to help issue tickets and regulate speeding in San Jose.

Mr. Boone referenced **Agenda Item #10.**, VTA Highway Program Cooperative Agreement, and requested that VTA and Caltrans conduct an inventory of the current highway projects to see if there is still a need or if it is possible to reroute funds to a more necessary project.

Mr. Mulligan referenced **Agenda Item #6.1.**, Approve Board of Directors Regular Meeting Minutes of December 6, 2018, Item #8.1.B., Silicon Valley Rapid Transit Program Update, Page 15 of 21, and requested that his comments be reflected to read as follows: expressed appreciation for the VTA/BART Joint Policy Advisory Board meeting in 2019. Mr. Mulligan would like the agreement upheld and for the agencies to hold annual meetings through the end of the BART project.

Mr. Ndiaye referenced **Agenda Item #6.4.**, Approve 2019 Legislative Program for VTA, and made the following comments: 1) noted the need for an additional Senate Bill that would be similar to AB2933; and 2) recommended VTA not openly support autonomous vehicles without the backing of their employees.

6.1. Board of Directors Regular Meeting Minutes of December 6, 2018

M/S/C (Khamis/Hendricks) to approve the Board of Directors Regular Meeting Minutes of December 6, 2018, as amended.

6.2. Appointments to VTA Policy Advisory Boards

M/S/C (Khamis/Hendricks) to ratify appointments to the VTA Policy Advisory Boards.

6.3. Ratification of Appointments to the Bicycle & Pedestrian Advisory Committee

M/S/C (Khamis/Hendricks) to ratify appointment to the Bicycle & Pedestrian Advisory Committee for the two-year term ending June 30, 2020.

6.4. Approve 2019 Legislative Program for the Santa Clara Valley Transportation Authority (VTA)

M/S/C (Khamis/Hendricks) to approve the 2019 Legislative Program.

6.5. Amendment of Outfront Contract for BART Silicon Valley Berryessa Extension (SBVX) Advertisement

M/S/C (Khamis/Hendricks) to authorize the General Manager to execute an amendment to the contract with Outfront Media Group, LLC, to amend the scope of services to include the Berryessa/North San Jose Intermodal Transit Center and the Milpitas Intermodal Transit Center, and to increase the Minimum Annual Guarantee to reflect the additional advertising assets.

6.6. Multifunction Devices & Managed Print Services

M/S/C (Khamis/Hendricks) to authorize the General Manager to negotiate and execute a contract with Ray Morgan Company (RMC) for Multifunction Device (print, copy, scan) services. The initial term of the contract will be five years with an option to extend the contract on an annual basis for two additional years. The cost of the initial five-year term is \$1,800,000, plus \$300,000 per year for two optional one-year periods, for a total of \$2,400,000.

6.7. Closed Circuit Television on Light Rail Vehicles Contract Amendment

M/S/C (Khamis/Hendricks) to authorize the General Manager to: (1) execute a contract amendment with Allied Telesis for additional warranty, support and software customization services in support of the Closed Circuit Television (CCTV) system on Light Rail in an amount not to exceed \$1,525,647; (2) extend the contract term through six (6) years of Extended Warranty; and (3) increase the total contract value to an amount not to exceed \$9,163,044.

6.8. Sunol Smart Carpool Lane Second Amended and Restated JPA

M/S/C (Khamis/Hendricks) to authorize the General Manager to enter into a Second Amended and Restated Joint Powers Agreement with Alameda County Transportation Commission in connection with the operations of the I-680 Express Lane.

6.9. Local Program Reserve (LPR) Funding Advance to develop a Vehicle Miles Traveled (VMT) Estimation Tool and Additional funds for the SR 152/SR 156 Interchange Close Out

M/S/C (Khamis/Hendricks) to program \$150,000 of Local Program Reserve (LPR) funds to provide the local share of the development of a Vehicle Miles Traveled (VMT) Estimation Tool, to be repaid with a one-time surcharge on Congestion Management Program (CMP) Member Agency fees in Fiscal Year 2020. Also, allocate \$12,684.19 of LPR funds to close out the SR152/SR156 Interchange project.

6.10. VTA Highway Program Cooperative Agreement

M/S/C (Khamis/Hendricks) 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; and
3. State and regional agencies such as the California Highway Patrol (CHP) and Metropolitan Transportation Commission (MTC) for planning, environmental, design, right of way, and construction phases of roadway projects

6.11. VTA Land Use and Development Review Policy

M/S/C (Khamis/Hendricks) to approve the VTA Land Use and Development Review Policy, as amended.

6.12. Vehicle Registration Fee (VRF) Annual Report

M/S/C (Khamis/Hendricks) to review the status of ongoing Santa Clara County Vehicle Registration Fee (VRF) activity.

6.13. 2018 Transportation Fund for Clean Air (TFCA) Project Status Report

M/S/C (Khamis/Hendricks) to review the status of ongoing Santa Clara County Transportation Fund for Clean Air (TFCA) projects.

6.14. Transit Sustainability Project Update

M/S/C (Khamis/Hendricks) to receive report on VTA's Transit Sustainability Project progress.

6.15. Transit Service Changes - January 14, 2019

M/S/C (Khamis/Hendricks) to receive a report on the January 14, 2019 service changes.

M/S/C (Khamis/Hendricks) to approve the Consent Agenda, as amended to include the following: 1) recommendations from Board Member Sam Liccardo for consideration pertaining to Agenda Item #6.11; and 2) to correct Agenda Item #6.1., Board of Directors Regular Meeting Minutes of December 6, 2019.

RESULT:	APPROVED [UNANIMOUS] – Consent Agenda, as amended - Item #s6.1 -6.15
MOVER:	Johnny Khamis, Board Member
SECONDER:	Glenn Hendricks, Alternate Board Member
AYES:	Carr, Chavez, Davis, Diep, Hendricks, Khamis, O’Neill, Peralez, Rennie,
NOES:	None
ABSENT:	Cortese, Jones, McAlister

7. REGULAR AGENDA

Administration and Finance Committee

7.1. General Engineering Services for VTA’s BART Silicon Valley Phase II Extension

Dennis Ratcliffe, Deputy Director, SVRT/BART Capital Program, provided an overview of the staff report.

Members of the Board and staff discussed the following: 1) the importance of implementing a framework for conflict resolution; 2) past issues that arose during BART Phase I; 3) performance measures and any penalties implemented for goals not met.; 4) possible errors in engineering; and 5) strategies to mitigate risks such as assurance and insurance programs including Owners Control Insurance.

Public Comment

Mr. Ndiaye commented about the limited number of firms who responded to the Request For Proposal (RFP) and inquired about the estimate in total contract costs by firms that submitted proposals.

Mr. Ratcliff reported the following: 1) an outreach forum was held downtown San Jose that was well attended; and 2) based on the attention the project is getting, many firms domestically and internationally are preparing proposals well beyond the Request for Proposal release date.

Mr. Grace inquired about the following: 1) the train logistics; and 2) the opening of BART to San Jose.

Ms. Woodmansee made the following comments: 1) referred to a construction vehicle idling on her street causing severe pollution; 2) urged the Board to ensure all

construction vehicles on the project be clean air vehicles; and 3) the need for a Broadband back-up beeper versus a single tone.

M/S/C (Khamis/Hendricks) to authorize the General Manager to execute a contract with Mott MacDonald/PGH Wong Engineering Joint Venture (MMW) in an amount up to \$125,000,000 to provide General Engineering services for the preliminary engineering phase of VTA's BART Silicon Valley Phase II Extension.

RESULT:	APPROVED [UNANIMOUS] –Agenda Item # 7.1
MOVER:	Johnny Khamis, Board Member
SECONDER:	Glenn Hendricks, Alternate Board Member
AYES:	Carr, Chavez, Davis, Diep, Hendricks, Khamis, O'Neill, Peralez, Rennie,
NOES:	None
ABSENT:	Cortese, Jones, McAlister

7.2. Proposal for 2019 New Transit Service Plan

Jim Unites, Deputy Director, Transit Planning & Capital Development; provided a brief overview of the staff report; and introduced Adam Burger, Senior Transportation Planner, who provided a presentation entitled “ 2019 New Transit Service Plan,” highlighting: 1) Background: Next Network Plan and Today's Plan; 2) 2019 New Transit Service Plan is a revision of Next Network Plan; 3) 2019 New Plan incorporates Ad Hoc Recommendations; 4) Annual Service Levels; 5) The Draft 2019 New Transit Service Plan; 6) Draft 2019 Proposed Light Rail Service; 7) Reductions to Coverage-Oriented Service; 8) Improvements to Ridership-Oriented Service; 9) Boardings per Hour of Current Bus Routes; 10) Cost Per Boarding of Current Bus Riders; 11) Projected Cost and Ridership; 12) More residents and jobs near frequent transit; 13) Other Impacts to be Analyzed; and 14) Next Steps.

Board Members and staff discussed the following: 1) how the service changes will coincide with the opening of BART in San Jose/Milpitas; 2) consider impacts of service changes to the paratransit; 3) frequency versus coverage; 4) homelessness; 5) outreach efforts; 6) cost reduction efforts; and 6) efforts to improve travel times.

Board Members recommended the following: 1) provide the impacts of the changes per line to the community; 2) reach out to the shelter agencies and the City of San Jose to assist with the homeless community that ride bus route 22 at night; 3) keep in mind the VTA deficit when adding back service hours; and 4) coordinate with land use owners and developers to see what are their project timelines and goals are and consider those as the service plan is refined.

Ms. Fernandez reported that VTA staff will continue to provide updates to the Board; and complete an analysis on frequency versus coverage that will be reported back to the Board.

Board Member McAlister arrived and took his seat at 7:25 p.m.

Public Comment

Cole Cameron, Cambrian Community Council, made the following comments: 1) expressed concern about the loss of coverage in the Almaden Valley area, specifically route 65 that traveled to downtown San Jose; and 2) looks forward to collaborating with VTA to find solutions.

Mr. Burger reported that the design service is based on two year increments.

Monica Mallon, Interested Citizen, made the following comments: 1) opposed the elimination of bus route 65; 2) noted the increased development in the Cambrian area; and 3) asked that VTA work with the community to find better solutions.

Ms. Woodmansee commented on: 1) finding resources to fund public transit; 2) the need to reduce greenhouse gases; and 3) the Board utilizing public transit.

Board Member Jones arrived and took his seat at 7:35 p.m.

Mr. Boone made the following comments: 1) noted the public comment should come before Board discussion/questions; and 2) expressed opposition to cutting overnight service on route 22, noting there are many who utilize it overnight for work.

Jonathan Erman, Interested Citizen, commented about the outreach efforts staff has planned, noting the importance of engaging the community and gathering their input.

Chairperson O'Neill urged the community to come to Board meetings or reach out to individual Board Members in their jurisdiction, if there are any comments/concerns.

Roland Lebrun, Interested Citizen, commented on the following: 1) express bus boardings; 2) suggested cutting express bus route 180 sooner rather than later; 3) cost of running express bus route 185; 4) how to improve transfer connectivity with increased frequency; and 5) bus route 68 transfers at Santa Teresa.

Anathea Lolen, Interested Citizen, urged the Board to think about the lives of the community when cutting service areas, especially to local colleges.

Mr. Grace inquired about the service cuts to express bus route 180.

M/S/C (Chavez/Hendricks) to direct staff to conduct outreach on the proposed 2019 New Transit Service Plan, presented per the Board's direction to develop and implement a New Transit Service Plan.

RESULT:	APPROVED [UNANIMOUS] –Agenda Item # 7.2
MOVER:	Cindy Chavez, Vice Chairperson
SECONDER:	Glenn Hendricks, Alternate Board Member
AYES:	Carr, Chavez, Davis, Diep, Hendricks, Jones, Khamis, McAlister, O’Neill, Peralez, Rennie,
NOES:	None
ABSENT:	Cortese

7.3. Approve Appointments to Board Standing Committees, Joint Powers Boards, Policy Advisory Boards, and Ad Hoc Committees for 2019

M/S/C (Chavez/Davis) to approve appointments to Board Standing Committees, Joint Powers Boards, Policy Advisory Boards, and Ad Hoc Committees for 2019.

RESULT:	APPROVED [UNANIMOUS] –Agenda Item # 7.3
MOVER:	Cindy Chavez, Vice Chairperson
SECONDER:	Dev Davis, Alternate Board Member
AYES:	Carr, Chavez, Davis, Diep, Hendricks, Jones, Khamis, McAlister, O’Neill, Peralez, Rennie,
NOES:	None
ABSENT:	Cortese

8. OTHER ITEMS

8.1. General Manager Report

Ms. Fernandez provided a report, highlighting the success of VTA service operations during the College Football Playoff National Championship held at Levi’s Stadium on January 7, 2019.

8.1.A. Government Affairs Update

Jim Lawson, Executive Policy Advisor and Director of Government Affairs, provided a brief report on actions taken at the Federal and State Level. Mr. Lawson noted that a more detailed report was in the Board Members reading folder and public binder.

8.1.B. Presentation from Tony Tavares, Caltrans District 4 Director

Tony Tavares, Caltrans District 4 Director, provided a presentation entitled “Caltrans District 4,” highlighting: 1) District 4; 2) Safety: 6-Inch Striping & Type XI Sign Panel; 3) Senate Bill 1-Santa Clara County; 4) Partnering with Santa Clara County; 5) Partnering Litter and Homeless; and 6) Asset Management Pavement Condition.

Board Members discussed the following: 1) cities in Santa Clara County that would be interested in collaborating regarding autonomous vehicles; 2) smart street technology along El Camino; 3) center divide along SR85; 4) preventing graffiti and litter on the highways and roads; 5) addressing homeless encampments; and 6) Caltrans Customer Service.

Mr. Tavares reported that he looks forward to collaborating with Board Members to help address many of the issues in Santa Clara County.

Public Comment

Omar Chatty, Interested Citizen, commented about the need for safety improvements and noted areas with the greatest need for improvements. Mr. Chatty urged Mr. Tavares to look for funding to help with the improvements needed.

Mr. Boone made the following comments: 1) reiterated the request for public comments to be heard prior to Board discussion; 2) noted expanding lanes and increasing interchanges allows for more traffic congestion; and 3) urged Caltrans, Santa Clara cities, and VTA to provide safety improvements to the current roads and streets for bicyclists and pedestrians.

Mr. Grace commented about homelessness and litter around the Caltrain stations.

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

Dennis Ratcliffe, Deputy Director, SVRT/BART Capital Program, and Carolyn Gonot, Chief Engineer and Program Delivery Officer, provided a presentation entitled “BART Silicon Valley Program Update,” highlighting: 1) Phase I Update; 2) Berryessa Project Update; 3) Berryessa Extension Project Schedule; 4) Phase II Update; 5) Phase II Extension – Current Activities; 6) Field Investigations Overview; 7) Utility Investigations; 8) Geotechnical Investigations; 9) How the Field Investigation Data is Used; 10) Project Use and Preliminary Sources of Funds; 11) Phase II Extension – Planning Schedule; and 12) Questions.

Upon inquiry of a Member of the Board, Mr. Ratcliffe and Ms. Gonot, reported that VTA submits a robust financial plan and plans for contingencies.

Public Comment

Mr. Mulligan referenced a handout he provided, noting that the signage at the BART Berryessa Station will be very confusing for the public.

Ms. Woodmansee made the following comments: 1) reported about the lack of communication, noting that the Agenda language for Agenda Item 8.1.C was confusing; and 2) requested bus rapid transit continue to DeAnza College.

Mr. Lebrun inquired about the following: 1) the lines that will be serving the newly opened BART stations; and 2) funds already spent on BART Phase II.

Mr. Boone made the following comments: 1) expressed excitement about BART to San Jose; and 2) expressed opposition for BART ending at Santa Clara Station.

Chairperson O'Neill reported that Santa Clara has a rail and maintenance yard which is key for the 16 mile added BART extension.

Mr. Grace expressed concern about why VTA pushed back the opening of the BART Berryessa and Milpitas stations.

8.2. Chairperson's Report

Chairperson O'Neill thanked the Board and the Community for the opportunity to serve as VTA's Chair for 2019. Ms. O'Neill highlighted the following main areas of focus for the upcoming year: 1) Financial Sustainability; 2) Transportation Innovation; 3) Workforce Development, and 4) Board Governance. Chairperson O'Neill noted that she looks forward to collaborating with VTA staff.

Public Comment

Mr. Lebrun thanked Chairperson O'Neill for her speech and suggested her transcript be posted on the VTA website.

Ms. Woodmansee asked how many Board Members drove to the meeting.

8.3. ITEMS OF CONCERN AND REFERRAL TO ADMINISTRATION

There were no Items of Concern and Referral to Administration.

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- The November 30, 2018, Minutes were accepted as contained in the Agenda Packet.
- Governance and Audit (G&A) Committee - The December 6, 2018, Minutes were accepted as contained in the Agenda Packet.
- Congestion Management Program & Planning (CMPP) Committee - The December 20, 2018, Minutes were accepted as contained in the Agenda Packet.
- Administration & Finance (A&F) Committee – The December 20, 2018, Minutes were accepted as contained in the Agenda Packet.
- Safety, Security, and Transit Planning & Operations (SSTP&O) Committee – The December 21 2018, Minutes were accepted as contained in the Agenda Packet.

8.4.B. VTA Advisory Committees

- Technical Advisory Committee (TAC) – The December 12, 2018, Cancellation Notice was accepted as contained in the Agenda Packet.
- Citizens Advisory Committee (CAC) and 2000 Measure A Citizens Watchdog Committee (CWC) – The December 12, 2018, Cancellation Notice was accepted as contained in the Agenda Packet.
- Bicycle and Pedestrian Advisory Committee (BPAC) - The December 12, 2018, Cancellation Notice was accepted as contained in the Agenda Packet.
- Committee for Transportation Mobility and Accessibility (CTMA) – There was no report.
- Policy Advisory Committee (PAC) – The December 13, 2018, Cancellation Notice was 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 December 10, 2018, Minutes were accepted as contained in the Agenda Packet.

- Diridon Station Joint Policy Advisory Board - There was no report.
- El Camino Real Rapid Transit PAB - There was no report.

8.4.D. Joint Powers Boards and Regional Commissions

- Caltrain Peninsula Corridor Joint Powers Board – The January 10, 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. Chatty commented on the following: 1) the fatalities on Caltrain; 2) an accident on north of highway 85 resulting in a fatality; and 3) the need to focus on safety.

8.5. Announcements

There were no Announcements.

Board Member Khamis left the meeting at 9:20 p.m.

9. CLOSED SESSION

Chairperson O'Neill reiterated the deferral of Closed Session Agenda Item #9.1.A - Conference with Legal Counsel – Existing Litigation, and reminded Board Members that Closed Session was being held in Conference Room B-106.

9.1. Recessed to Closed Session at 9:18 p.m.

A. (Deferred to the February 7, 2019 Board Meeting.)

Conference with Legal Counsel - Existing Litigation

[Government Code Section 54956.9(d)(1)]

Name of Case: Santa Clara Valley Transportation Authority v. Montague Parkway Associates, LP (Santa Clara County Superior Court Case No.: 112CV220334)

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

Property: 2510 Alum Rock Avenue, San Jose, CA 95116
(APN:484-42-011)

Agency Negotiator: Evelyn Tran, General Counsel

Negotiating Parties: Michael Whitton from Troutman Sanders, counsel for
Nakash Enterprises, LLC

Under Negotiation: Price and terms of purchase and sale

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

Name of Case: Victor Munoz vs. Santa Clara Valley Transportation Authority

Case# Workers Compensation Appeals Board ADJ 10515147

D. 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

Sylvester Fadal, Deputy Director of Business Services

Employee Organizations

Amalgamated Transit Union, Local 265

Service Employees International Union, Local 521

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

Transportation Authority Engineers & Architects Association Local 21
(TAEA)

Board Member Jones left the meeting at 11:49 p.m.

9.2. Reconvened to Open Session at 11:50 p.m.

9.3. Closed Session Report

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

Property: 2510 Alum Rock Avenue, San Jose, CA 95116
(APN:484-42-011)

Agency Negotiator: Evelyn Tran, General Counsel

Negotiating Parties: Michael Whitton from Troutman Sanders, counsel for Nakash Enterprises, LLC

Under Negotiation: Price and terms of purchase and sale

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

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

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

D. Conference with Labor Negotiators
[Government Code Section 54957.6]

VTa Designated Representatives

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Transportation Authority Engineers & Architects Association Local 21 (TAEA)

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 11:51 p.m..

Respectfully submitted,

Theadora Abraham, Board Assistant
VTA Office of the Board Secretary