

## BOARD OF DIRECTORS MEETING

Thursday, November 7, 2019

### MINUTES

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

---

The Regular Meeting of the Santa Clara Valley Transportation Authority's (VTA) Board of Directors (Board) was called to order by Chairperson O'Neill at 5:38 p.m. in the Board of Supervisors' Chambers, County Government Center, 70 West Hedding Street, San José, California.

##### 1.1. ROLL CALL

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

\* 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 O'Neill noted the following: 1) referenced the Revised Agenda reflecting updated items under **Agenda Item #8.1.A.**; and 2) requested **Agenda Item #7.1**, Contract Amendment with HMH for the US 101/De La Cruz Boulevard/Trimble Road Interchange Improvement Project be removed from the Regular Agenda and placed on the Consent Agenda.

#### **Public Comment**

Roland, Interested Citizen, suggested the following changes to the order of the agenda: 1) move **Agenda Item #6.2**, Comprehensive Annual Financial Report (CAFR) for the Santa Clara Valley Transportation Authority (VTA), and Financial Reports for the Amalgamated Transit Union (ATU) Pension Plan, and Retirees' Other Post Employment Benefits (OPEB) for Fiscal Year 2019 to the Regular Agenda; and 2) move **Agenda Item 7.2**, FY 2020 and FY 2021 VTA Transit Fund Budget Augmentation to the Consent Agenda.

Board Member Rennie requested moving **Agenda Item #6.2**, Comprehensive Annual Financial Report (CAFR) for the Santa Clara Valley Transportation Authority (VTA), and Financial Reports for the Amalgamated Transit Union (ATU) Pension Plan, and Retirees' Other Post Employment Benefits (OPEB) for Fiscal Year 2019 to the Regular Agenda.

**M/S/C (Jones/Rennie)** to accept the Orders of the Day.

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>ACCEPTED – Agenda Item #1.3</b>   |
| <b>MOVER:</b>    | Chappie Jones, Board Member  |
| <b>SECONDER:</b> | Rob Rennie, Board Member   |
| <b>AYES:</b>     | Blankley, Chavez, Ellenberg, Hendricks, Jones, McAlister, O'Neill, Peralez, Rennie |
| <b>NOES:</b>     | None   |
| <b>ABSENT:</b>   | Carrasco, Diep, Liccardo   |

## 2. AWARDS AND COMMENDATION

---

There were no Awards and Commendation.

## 3. PUBLIC COMMENT

---

Board Member Liccardo arrived and took his seat at 5:42 p.m.

Blair Beekman, Interested Citizen, commented on the following: 1) VTA's Automated License Plate Reader retention policy; 2) Big Belly retention policy; and 3) high speed rail.

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

The following Interested Citizens commented on reallocating funds to bus service:

- Andrew Boone, Interested Citizen;
- Cole Cameron, Interested Citizen;
- Scott Mace, Interested Citizen;
- Aaron Eckhouse, Interested Citizen;
- Nassim Nouri, Interested Citizen;
- Nick Cortez, Interested Citizen;
- Marshall Woodmansee, Interested Citizen;
- Monica Mallon, Interested Citizen;
- Eugene Bradley, Interested Citizen;
- Damon Haobany, Interested Citizen;
- Edward Escareno, Interested Citizen;
- Allyson Tionson, Interested Citizen;
- Zoe Vulpe, Interested Citizen;
- Silvia Bonilla, Interested Citizen,
- Jamie Minden, Interested Citizen
- Nuoxian Peng, Interested Citizen;
- Wilson, Interested Citizen;
- Peter Pham, Interested Citizen;
- Agnes Lin, Interested Citizen;
- Adam Buchbinder, Interested Citizen;
- Helen Deng, Interested Citizen;
- Mimi Spreadbury, Interested Citizen; and
- Neil McClintick, Interested Citizen.

Board Member Carrasco arrived and took her seat at 5:48 p.m.

Miles Benton, Interested Citizen, commented on broken pull cords on buses in the priority seating area.

Tom Tanner, Interested Citizen, commented on connecting jobs and housing.

Board Member Diep arrived and took his seat at 5:55 p.m.

Daniel Huynh, Interested Citizen, commented on service cuts to Bus Route 81.

James Wightman, Interested Citizen, commented on the following: 1) fences around the light rail tracks in Downtown San José; and 2) VTA's BART Silicon Valley Phase I.

Kai Wetlesen, Interested Citizen, commented on the following: 1) crime on the VTA system; and 2) Board composition.

Yvette Cervantes, Interested Citizen, commented on BART coming to Santa Clara County.

Mr. Roland noted that the Google Environmental Impact Report is available to the public.

#### **4. PUBLIC HEARINGS**

---

There were no Public Hearings.

#### **5. COMMITTEE REPORTS**

---

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

Martin Schulter, Citizens Advisory Committee (CAC) Chairperson, provided a report on the items discussed at the October 8, 2019, CAC meeting.

##### **Public Comment**

Mr. Beekman commented on transit practices.

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

Alternate Board Member Hendricks, Policy Advisory Committee (PAC) Chairperson, provided a report on the items discussed at the October 10, 2019, PAC meeting.

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

The following Board Members provided Standing Committee reports on the items discussed at their respective meetings:

Vice Chairperson O'Neill      Administration and Finance (A&F) Committee meeting on October 17, 2019

Chairperson O'Neill              Governance and Audit (G&A) Committee meeting on November 7, 2019

Board Member Diep left his seat at 6:39 p.m.

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

There were no Policy Advisory Board reports.

##### **5.5. Ad Hoc Board Enhancement Committee Chairperson's Report**

Board Member Carrasco left her seat at 6:40 p.m.

Chairperson McAlister provided a report on the items discussed at the October 29, 2019 Committee meeting.

Pat Hagan, RSM, provided a presentation, entitled "Board Governance Assessment: Project Overview and Status."

Board Member Carrasco returned to her seat at 6:45 p.m.

Board Member Diep returned to his seat at 6:50 p.m.

Members of the Board discussed the Governance survey sent to the Board.

**Public Comment**

Mr. Wetlesen expressed support for an elected Board.

---

**6. CONSENT AGENDA**

---

**Public Comment**

Asn Ndiaye, Interested Citizen, commented on the following: 1) referenced **Agenda Item #6.5**, Accessible Automated Vehicle (AAV) Project Sole Source Agreement, and encouraged VTA to consult with operators; and 2) referenced **Agenda Item #6.3**, Fiscal Year 2019 Statement of Revenues and Expenses for the Period Ending June 30, 2019, and inquired if an expenditure plan is in place.

Mr. Wetlesen inquired about the funding source for **Agenda Item #6.5**, Accessible Automated Vehicle (AAV) Project Sole Source Agreement.

Board Member Liccardo noted his abstention on **Agenda Item #7.1**, US 101/De La Cruz Boulevard/Trimble Road Interchange Improvement – Contract Amendment #3 (Final Design and Right of Way Engineering Services) – P-0565.

**6.1. Regular Meeting Minutes of October 3, 2019**

**M/S/C (Chavez/Rennie)** to approve the Board of Directors Regular Meeting Minutes of October 3, 2019.

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

Comprehensive Annual Financial Report (CAFR) for the Santa Clara Valley Transportation Authority (VTA), and Financial Reports for the Amalgamated Transit Union (ATU) Pension Plan, and Retirees' Other Post Employment Benefits (OPEB) for Fiscal Year 2019

**6.3 Fiscal Year 2019 Statement of Revenues and Expenses for the Period Ending June 30, 2019**

**M/S/C (Chavez/Rennie)** to review and accept the Fiscal Year 2019 Statement of Revenues and Expenses for the period ending June 30, 2019.

**6.4 I-680 Soundwalls - Contract Amendment No. 5 (ROW Phase)**

**M/S/C (Chavez/Rennie)** to authorize the General Manager to execute a contract amendment with BKF Engineers in the amount of \$195,860 to complete right-of-way services for the I-680 Soundwalls Project resulting in a new total contract value of \$1,135,661.

**6.5      Accessible Automated Vehicle (AAV) Project Sole Source Agreement**

M/S/C (**Chavez/Rennie**) to authorize the General Manager to execute a sole source agreement up to \$840,000 with Prospect Silicon Valley (Prospect SV) to provide equipment procurement, engineering, support and maintenance services for the Accessible Automated Vehicle Pilot Project at the Veterans Administration (VA) Hospital for a five-year period.

**6.6      Station Name**

M/S/C (**Chavez/Rennie**) to designate the station name for VTA's BART Phase II Extension station located at North 28th Street & East Santa Clara Avenue as "28th Street/Little Portugal."

**6.7      Valley Transportation Plan (VTP) Highway Program Semi-Annual Report Ending June 30, 2019.**

M/S/C (**Chavez/Rennie**) to receive the Valley Transportation Plan (VTP) Highway Program Semi-Annual Report Ending June 30, 2019.

**7.1      US 101/De La Cruz Boulevard/Trimble Road Interchange Improvement – Contract Amendment #3 (Final Design and Right of Way Engineering Services) – P-0565**

M/S/C (**Chavez/Rennie**) on a vote of 11 ayes to 0 noes to 1 abstention to authorize the General Manager to amend the contract with HMH Engineers in the amount of \$1,308,487 to complete the final design and right-of-way engineering services and to use the new total contract amount of \$4,768,301 to calculate the General Manager's amendment authority under Administrative Code Section 9.2(h) for the US 101/De La Cruz Boulevard/Trimble Road Interchange Improvement Project. Board Member Liccardo abstained.

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>APPROVED - Agenda Items #6.1, 6.3-6.7</b>   |
| <b>MOVER:</b>    | Cindy Chavez, Vice Chairperson   |
| <b>SECONDER:</b> | Rob Rennie, Board Member   |
| <b>AYES:</b>     | Blankley, Carrasco, Chavez, Diep, Ellenberg, Hendricks, Jones, Liccardo, McAlister, O'Neill, Peralez, Rennie |
| <b>NOES:</b>     | None   |

|                   |  |
|-------------------|--|
| <b>RESULT:</b>    | <b>APPROVED - Agenda Item #7.1</b>   |
| <b>MOVER:</b>     | Cindy Chavez, Vice Chairperson   |
| <b>SECONDER:</b>  | Rob Rennie, Board Member   |
| <b>AYES:</b>      | Blankley, Carrasco, Chavez, Diep, Ellenberg, Hendricks, Jones, McAlister, O'Neill, Peralez, Rennie |
| <b>NOES:</b>      | None   |
| <b>ABSTAINED:</b> | Liccardo   |

---

## 7. REGULAR AGENDA

---

### 7.1. (Removed from the Regular Agenda and placed on the Consent Agenda.)

Authorize the General Manager to amend the contract with HMH Engineers in the amount of \$1,308,487 to complete the final design and right-of-way engineering services and to use the new total contract amount of \$4,768,301 to calculate the General Manager's amendment authority under Administrative Code Section 9.2(h) for the US 101/De La Cruz Boulevard/Trimble Road Interchange Improvement Project.

### 7.2 FY 2020 and FY 2021 VTA Transit Fund Budget Augmentation

Franklin Wong, Deputy Director of Finance, Budget & Program Management, provided an overview of the staff report.

Members of the Board discussed the amount of VTA's reserves.

#### Public Comment

Mr. Bradley requested VTA reallocate highway program monies to transit operations.

**M/S/C (Rennie/Hendricks)** to augment the Transit Fund Operating Budget by \$7,268,000 and \$15,572,000 for FY 2020 and FY 2021, respectively for a total of \$22,840,000 for two years, to implement the successor labor agreements that VTA entered into with: Amalgamated Transit Union (ATU), Local 265; American Federation of State County and Municipal Employees (AFSCME), Local 101; and Transportation Authority Engineers and Architects Association (TAEA), Local 21.

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>APPROVED - Agenda Item #7.2</b>   |
| <b>MOVER:</b>    | Rob Rennie, Board Member   |
| <b>SECONDER:</b> | Glenn Hendricks, Alternate Board Member  |
| <b>AYES:</b>     | Blankley, Carrasco, Chavez, Diep, Ellenberg, Hendricks, Jones, Liccardo, McAlister, O'Neill, Peralez, Rennie |
| <b>NOES:</b>     | None   |

### 7.3 Authorization to Execute BART Operations & Maintenance Agreement

Raj Srinath, Deputy General Manager and Chief Financial Officer, introduced Evelyn Ho, Senior Transportation Engineer; Vic Pappalardo, Senior Assistant Counsel; and Michael Smith, Finance, Debt & Investment Manager. Ms. Ho, Mr. Pappalardo, and Mr. Smith provided a presentation entitled "BART Silicon Valley Operations and Maintenance Agreement Overview."

Members of the Board discussed the following: 1) VTA's involvement with BART capital plans; 2) termination for convenience; and 3) Transportation Development Act (TDA) lien.

Board Members Liccardo and Rennie left their seats at 7:42 p.m.

Board Members Liccardo and Rennie returned to their seat at 7:54 p.m.

**Public Comment**

The following Interested Citizens expressed concern about the Transportation Development Act (TDA) agreement:

- Ms. Mallon;
- Mr. Ndiaye; and
- Mr. Bradley.

**M/S/C (Hendricks/Peralez)** to authorize the General Manager to execute the Operations and Maintenance Agreement with the Bay Area Rapid Transit District (BART) for the operation and maintenance of the BART extension in Santa Clara County.

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>APPROVED - Agenda Item #7.3</b>   |
| <b>MOVER:</b>    | Glenn Hendricks, Alternate Board Member  |
| <b>SECONDER:</b> | Raul Peralez, Board Member   |
| <b>AYES:</b>     | Blankley, Carrasco, Chavez, Diep, Ellenberg, Hendricks, Jones, Liccardo, McAlister, O'Neill, Peralez, Rennie |
| <b>NOES:</b>     | None   |

**6.2      Comprehensive Annual Financial Report (CAFR) for the Santa Clara Valley Transportation Authority (VTA), and Financial Reports for the Amalgamated Transit Union (ATU) Pension Plan, and Retirees' Other Post Employment Benefits (OPEB) for Fiscal Year 2019**

Board Member Peralez left his seat at 8:01 p.m.

Board Member Liccardo and Vice Chairperson Chavez  
left their seats at 8:02 p.m.

Ahmad Gharaibeh, Eide Bailly - Partner, provided a brief overview of the staff report.

Board Member Liccardo and Vice Chairperson Chavez  
returned to their seats at 8:08 p.m.

Board Member Carrasco left her seat at 8:11 p.m.



Members of the Board discussed the following: 1) debt service coverage; 2) 1976 bond and 2000 Measure A funds; and 3) farebox recovery.

Board Member Peralez returned to his seat at 8:15 p.m.

Alternate Board Member Ellenberg left her seat at 8:15 p.m.

**M/S/C (Hendricks/Chavez)** to review and receive the audited CAFR for VTA, and the Financial Reports for ATU Pension Plan and Retirees' OPEB Trust (both referred to as Trusts) for Fiscal Year 2019.

|                  |   |
|------------------|---|
| <b>RESULT:</b>   | <b>APPROVED - Agenda Item #6.2</b>  |
| <b>MOVER:</b>    | Glenn Hendricks, Alternate Board Member   |
| <b>SECONDER:</b> | Cindy Chavez, Vice Chairperson  |
| <b>AYES:</b>     | Blankley, Chavez, Diep, Hendricks, Jones, Liccardo, McAlister, O'Neill, Peralez, Rennie |
| <b>NOES:</b>     | None  |
| <b>ABSENT:</b>   | Carrasco, Ellenberg   |

---

## 8. OTHER ITEMS

### 8.1. General Manager Report

Nuria I. Fernandez, General Manager/CEO, provided a report, highlighting the following: 1) Mathilda/U.S. 101 Interchange Improvements; 2) Opening of State Route 237 Phase II Express Lanes; 3) Downtown Railing Pilot Project; 4) Rail Rehabilitation; and 5) VTA Employee Appreciation BBQs.

Alternate Board Member Ellenberg returned to her seat at 8:17 p.m.

Board Member Carrasco returned to her seat at 8:19 p.m.

Captain David Lera provided an overview of security statistics.

Members of the Board requested a two-year comparison of security data.

#### 8.1.A. Status reports on the following:

- **New Transit Service Plan Implementation Update**

Jay Tyree, Transportation Planning Manager, provided a presentation entitled "New Transit Service Plan: Implementation Status Update."

Alternate Board Member Ellenberg left her seat at 8:46 p.m.

- **Operations Workforce Development**

Austin Jenkins, Interim Chief Operating Officer, and Marie Guillory-Jones, Human Resources Manager, provided a presentation entitled “Operations Workforce Development.”

- **Customer Communications During a Service Interruption**

Brandi Childress, Media & Public Affairs Manager, and Lucas Perez, Acting Customer Experience Manager, provided a presentation entitled “Customer Service Notifications Process.”

Members of the Board discussed the following: 1) real time status of buses and light rail trains; 2) getting the staffing level where it should be, which will address absenteeism and overtime; and 3) looking at absenteeism trends.

Alternate Board Member Ellenberg returned to her seat  
at 8:55 p.m.

**8.1.B. Government Affairs Update**

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

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

Dennis Ratcliffe, Deputy Director, SVRT/BART Capital Program and Jorge Martinez, SVBX Project Manager, Bechtel, provided a presentation entitled “BART Silicon Valley Program Update: Phase I Extension to Berryessa and Phase II Extension.”

Members of the Board discussed the following: 1) funding for Phase II; and 2) Phase I revenue service.

**Public Comment**

Mr. Bradley commented on continuing the discussion on the customer notification of driver shortage.

Omar Chatty, Interested Citizen, commented on the following: 1) fatalities on Pacheco Pass; and 2) encouraged VTA to write a letter of support for Senate Bill (SB) 1.

Mr. Roland commented on BART testing.

Ms. Fernandez noted that the ridership statistics were in the Board Members’ reading folders and in the public binder.

**8.2. Chairperson's Report**

Chairperson O'Neill reported on the following: 1) American Public Transit Association (APTA) Annual Conference, noting that Ms. Fernandez was elected as the Chair of APTA; and 2) VTA received the AdWheel Grand Award for its marketing campaign, the Best Destinations Near VTA.”.

**8.2.A. Board Chairperson and Vice Chairperson Election Process**

Chairperson O'Neill reviewed the Board leadership process.

**8.2.B. Proposed 2020 Board of Directors Meeting Schedule**

Chairperson O'Neill referenced the proposed Board of Directors meeting dates for 2020 and asked Board Members to review them, and to notify the Office of the Board Secretary of any conflicts. Chairperson O'Neill noted that the Board of Directors is scheduled to approve their meeting schedule at the December 5, 2019 meeting.

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

Board Member McAlister referenced a letter from Alameda County Transportation Commission on FASTER Bay Area and requested an update on the initiative.

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

**8.4.A. VTA Standing Committees**

- Capital Program Committee – There was no report.
- Governance and Audit (G&A) Committee - There was no report.
- Congestion Management Program & Planning (CMPP) Committee – The October 17, 2019, Cancellation Notice was accepted as contained in the Agenda Packet.
- Administration & Finance (A&F) Committee - The October 17, 2019, Minutes were accepted as contained on the dais.
- Safety, Security, and Transit Planning & Operations (SSTP&O) Committee - The October 18, 2019, Cancellation Notice was accepted as contained in the Agenda Packet.

**8.4.B. VTA Advisory Committees**

- Technical Advisory Committee (TAC) - The October 9, 2019, Minutes were accepted as contained in the Agenda Packet.
- Citizens Advisory Committee (CAC) and 2000 Measure A Citizens Watchdog Committee (CWC) - The October 8, 2019, Minutes were accepted as contained in the Agenda Packet.
- Bicycle and Pedestrian Advisory Committee (BPAC) - The October 9, 2019, Workshop Summary Minutes were accepted as contained in the Agenda Packet.
- Committee for Transportation Mobility and Accessibility (CTMA) - There was no report.
- Policy Advisory Committee (PAC) - The October 10, 2019, Minutes were accepted as contained in the Agenda Packet.

**8.4.C. VTA Policy Advisory Boards (PAB)**

- Eastridge to BART Regional Connector PAB (formerly Downtown East Valley PAB) - There was no report.
- State Route 85 Corridor PAB - There was no report.
- Diridon Station Joint Policy Advisory Board - There was no report.

**8.4.D. Joint and Regional Commissions**

- Caltrain Peninsula Corridor Joint Powers Board - There was no report.
- 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.

**8.5. Announcements**

There were no Announcements.

**9. CLOSED SESSION**

---

**9.1. Recessed to Closed Session at 9:31 p.m.**

Board Member Diep and Alternate Board Ellenberg  
left the meeting at 9:34 p.m.

Board Member Liccardo left Closed Session at 9:57 p.m.

Alternate Board Member Blankley left the meeting at 10:06 p.m.

**A. Conference with Real Property Negotiators**

[Government Code Section 54956.8]

Property: Blossom Hill Light Rail Station Park and Ride Lot, San Jose, California, located on a portion of the block bounded by Blossom Hill Road, Canoas Creek, and SR-85, also referred to as Assessor Parcel Number 464-22-032

Agency Negotiators: Ron Golem, Director, Real Estate & Transit-Oriented Development; Jessie O'Malley Solis, Manager of Transit-Oriented Development

Negotiating Parties: Michael Van Every, President, Republic Urban Properties; Case Swenson, President, Swenson; Welton Jordan, Vice President, EAH Housing

Under Negotiation: Terms and condition of ground lease

**B. Public Employee Performance Evaluation**

[Government Code Section 54957]

Title: General Manager

**C. Public Employee Performance Evaluation**

[Government Code Section 54957]

Title: General Counsel

**9.2. Reconvened to Open Session at 10:46 p.m.**

**9.3. Closed Session Report**

**A. Conference with Real Property Negotiators**

[Government Code Section 54956.8]

Property: Blossom Hill Light Rail Station Park and Ride Lot, San Jose, California, located on a portion of the block bounded by Blossom Hill Road, Canoas Creek, and SR-85, also referred to as Assessor Parcel Number 464-22-032

Agency Negotiators: Ron Golem, Director, Real Estate & Transit-Oriented Development; Jessie O'Malley Solis, Manager of Transit-Oriented Development

Negotiating Parties: Michael Van Every, President, Republic Urban Properties; Case Swenson, President, Swenson; Welton Jordan, Vice President, EAH Housing

Under Negotiation: Terms and condition of ground lease

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

**B. Public Employee Performance Evaluation**  
[Government Code Section 54957]

Title: General Manager

Chairperson O'Neill noted no reportable action was taken during Closed Session.

**C. Public Employee Performance Evaluation**  
[Government Code Section 54957]

Title: General Counsel

Chairperson O'Neill noted the Board deferred the General Counsel's performance evaluation to the December 5, 2019 meeting.

**10. ADJOURNMENT**

---

**On order of Chairperson O'Neill** and there being no objection, the meeting was adjourned at 10:48 p.m.

Respectfully submitted,

Thalia Young, Board Assistant  
VTA Office of the Board Secretary