

## BOARD OF DIRECTORS WORKSHOP MEETING

Friday, September 17, 2021

### MINUTES

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

---

The Workshop Meeting of the Santa Clara Valley Transportation Authority's (VTA) Board of Directors (Board) was called to order by Chairperson Hendricks at 9:03 a.m. via video and teleconference.

Attendee Name	Title	Status
Margaret Abe-Koga	Ex-Officio Member	Absent
Marie Blankley	Alternate Board Member (Gilroy)	Absent
Pat Burt	Board Member (Palo Alto)	Present
Magdalena Carrasco	Board Member (San Jose)	Present
Cindy Chavez	Board Member (Santa Clara County)	Present
Rich Constantine	Board Member (Morgan Hill)	Present
Dev Davis	Alternate Board Member (San Jose)	Absent
Lisa M. Gillmor	Alternate Board Member (Santa Clara)	Present
Glenn Hendricks	Chairperson (Sunnyvale)	Present
Sergio Jimenez	Board Member (San Jose)	Present
Chappie Jones	Vice Chairperson (San Jose)	Present
Otto Lee	Alternate Board Member (Santa Clara County)	Absent
Lynette Lee Eng	Alternate Board Member (City of Los Altos)	Present
Sam Liccardo	Board Member (San Jose)	Present
Carmen Montano	Board Member (Milpitas)	Present
Darcy Paul	Board Member (Cupertino)	Present
Raul Peralez	Board Member (San Jose)	Present
Rob Rennie	Alternate Board Member (Los Gatos)	Present
Joe Simitian	Board Member (Santa Clara County)	Present

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

**A quorum was present.**

Chairperson Hendricks noted the following: 1) addendum to the agenda adding four Closed Session items; and 2) **Agenda Item #4.1.A:** Anticipated Litigation for one case has been removed from the agenda.

## **2. WORKSHOP ITEMS**

---

### **2.1. Zero-emission Bus Strategy**

Carolyn Gonot, General Manager/CEO, provided background information on the transition to zero-emission buses and the requirement by the California Air Resources Board to operate fully zero emission bus fleets by 2040.

Adam Burger, Senior Transportation Planner-Transit Planning, provided a presentation entitled "Zero-Emission Bus Strategy."

Board Member Chavez joined the teleconference and video conference at 9:15 a.m.

#### **Public Comment**

Roland Lebrun, Interested Citizen, commented hydrogen is a fossil fuel and noted battery electric bus is a better option.

Blair Beekman, Interested Citizen, expressed support for electric buses.

James Kuszmaul, Interested Citizen, urged VTA to have a clear plan for service expansion so that long term plans can be made for future bus fleet.

Kevin Ma, Interested Citizen, expressed support for electric buses and urged VTA to expand service.

Monica Mallon, Interested Citizen, expressed support for the draft proposal and noted the need to expand service.

Members of the Board thanked staff for the presentation's clarity. Discussion ensued on the following: 1) potential funding sources and contingencies if grants are not secured; 2) electric bus battery range and the ideal range for VTA; 3) bus life span; 4) route charging and impacts of power shut offs; 5) level of interest of past boards on zero emission technology and financial constraints in the past; 6) price volatility because of different technologies and the market disruptions; 7) benefits of getting input from mechanics and drivers who maintain and operate buses; 8) employee training needs for the new buses; and 9) disposition of batteries.

**On order of Chairperson Hendricks** and there being no objection, the Board received a presentation from staff on zero-emission bus transition scenarios.

### **2.2. FY 2017 - FY 2019 and FY 2020 2016 Measure B Annual Reports**

Jane Shinn, Senior Transportation Planner-Grants & Fund Allocations, provided a presentation entitled "2016 Measure B FY 2017 – FY 2019 and FY 2020 Annual Reports."

**Public Comment**

Mr. Lebrun expressed concern about the discrepancy on the placemat that was presented at the Advisory Committees.

Mr. Beekman provided comments on budgeting, renewable energy, and procurement process.

Members of the Board and staff discussed: 1) expressed support for the timeline staff presented for the consideration of the budget and 10-year program for Caltrain Grade Separation and Highway Interchanges; and 2) long-standing vacancy on the 2016 Measure B Citizens Oversight Committee and options to address it.

Board Member Liccardo joined the teleconference and video conference at 10:35 a.m.

**On order of Chairperson Hendricks** and there being no objection, the Board received the FY 2017-2019 and FY 2020 2016 Measure B Annual Reports.

---

### **3. OTHER ITEMS**

#### **3.1. ANNOUNCEMENTS**

Chairperson Hendricks noted that the light rail system will be running the full system on September 18, 2021 and asked Board Members to help spread the word.

---

### **4. CLOSED SESSION**

Chairperson Hendricks inquired if there were members of the public wishing to address the Board on closed session items.

**Public Comment**

Mr. Beekman commented victims are looking for answers of what can be done for the future.

#### **4.1. Recessed to Closed Session at 10:40 a.m.**

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

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

Significant Exposure to Litigation

No. of Cases: 1

- A.X.** Threat to Public Services or Facilities  
[Government Code Section 54957(a)]
- Consultation with Richard Bertalan, Chief Information Technology Officer
- A.XX.** 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)
- A.XXX.** Conference with Legal Counsel - Existing Litigation  
[Government Code Section 54956.9(d)(1)]
- Name of Case: Balleza v. Santa Clara Valley Transportation Authority  
(Workers Compensation Appeals Board, ADJ1 4897666)
- A.XXXX.** 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
- 4.2. Reconvened to Open Session at 11:37 a.m.**
- 4.3. Closed Session Report**
- A.** Removed from the Agenda
- A.X.** Threat to Public Services or Facilities  
[Government Code Section 54957(a)]
- Consultation with Richard Bertalan, Chief Information Technology Officer
- Evelynn Tran, General Counsel, noted no reportable action was taken during closed session.
- A.XX.** 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)
- Ms. Tran noted no reportable action was taken during closed session.

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

Name of Case: Balleza v. Santa Clara Valley Transportation Authority  
(Workers Compensation Appeals Board, ADJ1 4897666)

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

**A.XXXX.** 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 noted no reportable action was taken during closed session.

## **5. ADJOURNMENT**

---

**On order of Chairperson Hendricks** and there being no objection, the workshop meeting  
was adjourned at 11:38 a.m.

Respectfully submitted,

Elaine Baltao, Board Secretary  
VTA Office of the Board Secretary