

BOARD OF DIRECTORS MEETING

Thursday, August 1, 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 5:37 p.m. in the Auditorium, VTA River Oaks Campus, 3331 N. First Street, San José, California.

The Board took a moment of silence in honor of the victims of the Gilroy Garlic Festival tragedy.

1.1. ROLL CALL

Attendee Name	Title	Status
Marie Blankley	Alternate Board Member	Absent
Larry Carr	Board Member	Present
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	Absent
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	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 O'Neill stated the following items are on the dais and public table: 1) **Agenda Item #7.1.**, Successor Labor Agreement Negotiated Between VTA and American Federation of State, County, and Municipal Employees Local 101 (AFSCME), and 2) **Agenda Item #7.2.**, Successor Labor Agreement Negotiated Between VTA and Transportation Authority Engineers & Architects Association Local 21 (TAEA).

Board Member Peralez requested the following items be moved from the Regular Agenda to the Consent Agenda: 1) **Agenda Item #7.1.**, Successor Labor Agreement Negotiated Between VTA and American Federation of State, County, and Municipal Employees Local 101 (AFSCME), and 2) **Agenda Item #7.2.**, Successor Labor Agreement Negotiated Between VTA and Transportation Authority Engineers & Architects Association Local 21 (TAEA).

Chairperson O'Neill noted Consent **Agenda Item #6.6.**, Regionally Significant Projects Submission, would be placed on the Regular Agenda.

Chairperson O'Neill noted staff's request to remove AFSCME and TAEA from Closed Session **Agenda Item #9.1.A.**, Conference with Labor Negotiators.

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

RESULT:	APPROVED – [UNANIMOUS]
MOVER:	Raul Peralez, Board Member
SECONDER:	John McAlister, Board Member
AYES:	Carr, Chavez, Ellenberg, Hendricks, Jones, Liccardo, McAlister, O'Neill, Peralez, Rennie
NOES:	None
ABSENT:	Carrasco, Diep

Board Member Carrasco arrived at the meeting and took her seat at 5:41 p.m.

2. **AWARDS AND COMMENDATION**

2.1. **Employees and Supervisor of the Quarter for the 3rd Quarter of 2019**

The Board recognized Eddie Calsadillas, Office and Timekeeping Technician, North Yard Office, Pale Toa Eva Jr., Coach Operator at Cerone Operations, and Abdi Alaghmandan, Substation Maintainer in the Way, Power, and Signal Department as Employees of the Third (3rd) Quarter of 2019.

Debbie Polm, Transit Division Supervisor at Chaboya Operations, was unable to attend and was acknowledged as Supervisor of the Third (3rd) Quarter of 2019.

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

2.2. Resolution of Appreciation for Retiring VTA Staff

M/S/C (Hendricks/Liccardo) to adopt **Resolution of Appreciation No. 2019.08.27** for Carolyn Gonot, upon her retirement as the Chief Planning & Engineering Officer.

RESULT:	Adopted [UNANIMOUS] – Agenda Item #2.2
MOVER:	Glenn Hendricks, Alternate Board Member
SECONDER:	Sam Liccardo, Board Member
AYES:	Carr, Carrasco, Chavez, Ellenberg, Hendricks, Jones, Liccardo, McAlister, O'Neill, Peralez, Rennie
NOES:	None
ABSENT:	Diep

M/S/C (Hendricks/Liccardo) to adopt **Resolution of Appreciation No. 2019.08.28** for Inez Evans Benson upon her retirement as the Chief Operating Officer.

RESULT:	Adopted [UNANIMOUS] – Agenda Item #2.2
MOVER:	Glenn Hendricks, Alternate Board Member
SECONDER:	Sam Liccardo, Board Member
AYES:	Carr, Carrasco, Chavez, Ellenberg, Hendricks, Jones, Liccardo, McAlister, O'Neill, Peralez, Rennie
NOES:	None
ABSENT:	Diep

Public Comment

Eugene Bradley, Interested Citizen, expressed appreciation to Carolyn Gonot and Inez Evans for their dedication and service to the community.

3. PUBLIC COMMENT

Andrew Boone, Interested Citizen, referenced the Santa Clara County Civil Grand Jury Report and expressed support for further study of the VTA Board structure.

Olivia, Interested Citizen, expressed concern with public transit in Santa Clara County.

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

There were no Standing Committee Chairpersons' reports.

5.4. Policy Advisory Board Chairpersons' Report

Chairperson McAlister provided a brief report of the July 2, 2019, State Route 85 Corridor Policy Advisory Board meeting.

6. CONSENT AGENDA

Public Comment

Mr. Boone commented on the following: 1) referenced **Agenda Item #6.1.**, Board of Directors Regular Meeting Minutes of June 6, 2019, and **Agenda Item #6.2.**, Board of Directors Regular Meeting Minutes of June 21, 2019, urging public review for the proposed Faster Bay Area tax.

Evelynn Tran, General Counsel, noted a Declaration of Non-interest for **Agenda Item #6.3.**, Dedication of Sidewalk and Utility Easement for the Santa Clara Pedestrian Underpass Project, and **Agenda Item #6.5.**, Santa Clara Caltrain Station Exclusive Negotiations Agreement Extension, on behalf of Chairperson O'Neill who received a stipend from the City of Santa Clara and a per diem from VTA. Under Government Code Section 1091.5(a)9 Chairperson O'Neill has a non-interest and does not have to recuse herself from the vote.

Board Member Liccardo noted his recusal on **Agenda Item #6.4.**, Tamien Station Exclusive Negotiations Agreement Extension, and **Agenda Item #6.5.**, Santa Clara Caltrain Station Exclusive Negotiations Agreement Extension under Government Code Section 84308.

Vice Chairperson Chavez noted her recusal on **Agenda Item #6.4.**, Tamien Station Exclusive Negotiations Agreement Extension.

Vice Chairperson Chavez referenced **Agenda Item #7.1:** Successor Labor Agreement Negotiated Between VTA and AFSCME, and **Agenda Item #7.2:** Successor Labor

Agreement Negotiated Between VTA and TAEA Local 21, and thanked staff for their work in reaching an agreement in a timely fashion.

6.1. Board of Directors Regular Meeting Minutes of June 6, 2019

M/S/C (Hendricks/Carr) to approve the Board of Directors Regular Meeting Minutes of June 6, 2019.

6.2. Board of Directors Regular Meeting Minutes of June 21, 2019

M/S/C (Hendricks/Carr) to approve the Board of Directors Regular Meeting Minutes of June 21, 2019.

6.3. Dedication of Sidewalk and Utility Easement for the Santa Clara Pedestrian Underpass Project

M/S/C (Hendricks/Carr) to authorize the General Manager to dedicate a sidewalk and utility easement to the City of Santa Clara (City) in connection with the Santa Clara Pedestrian Underpass Project (SCPUP).

6.4. Tamien Station Exclusive Negotiations Agreement Extension

The Board reconsidered the item after approval of the consent agenda.

6.5. Santa Clara Caltrain Station Exclusive Negotiations Agreement Extension

The Board reconsidered the item after approval of the consent agenda.

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

Adopt the Regionally Significant Projects for inclusion in the update to Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments' (ABAG's) Plan Bay Area 2050.

6.7. Transit Service Changes – July 1, 2019

M/S/C (Hendricks/Carr) to receive a report on the July 1, 2019 Transit Service Changes.

7.1. Successor Labor Agreement Negotiated Between VTA and AFSCME Local 101

M/S/C (Hendricks/Carr) to authorize the General Manager to approve and formally adopt a successor labor agreement negotiated between the Santa Clara Valley Transportation Authority (VTA) and American Federation of State, County and Municipal Employees (AFSCME) Local 101.

7.2. Successor Labor Agreement Negotiated Between VTA and TAEA Local 21

M/S/C (Hendricks/Carr) to authorize the General Manager to approve and formally adopt a successor labor agreement negotiated between the Santa Clara Valley Transportation Authority (VTA) and Transportation Authority Engineers and Architects (TAEA) Local 21.

RESULT:	APPROVED – Consent Agenda Items #6.1 –6.3, #6.7 and #7.1-7.2
MOVER:	Glenn Hendricks, Alternate Board Member
SECONDER:	Larry Carr, Board Member
AYES:	Carr, Carrasco, Chavez, Ellenberg, Hendricks, Jones, Liccardo, McAlister, O’Neill, Peralez, Rennie
NOES:	None
ABSENT:	Diep

7. REGULAR AGENDA

Administration and Finance Committee

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

Authorize the General Manager to approve and formally adopt a successor labor agreement negotiated between the Santa Clara Valley Transportation Authority (VTA) and American Federation of State, County and Municipal Employees (AFSCME) Local 101.

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

Authorize the General Manager to approve and formally adopt a successor labor agreement negotiated between the Santa Clara Valley Transportation Authority (VTA) and Transportation Authority Engineers and Architects (TAEA) Local 21.

7.3. 2016 Measure B Bicycle/Pedestrian Capital Projects Competitive Grant Program Criteria

Marcella Rensi, Deputy Director of Grants and Fund Allocations, and Jane Shinn, Senior Transportation Planner, provided a presentation entitled “2016 Measure B Bicycle/Pedestrian Capital Projects Competitive Grant Program Criteria.”

Members of the Board and staff engaged in a robust discussion, highlighting: 1) criteria development; 2) expressed concern with under-investment in pedestrian and bicycle infrastructure; 3) importance of elevating community support and engagement; 4) consider increasing weight of special needs community; 5) expressed concern with changing the scoring due to lengthy process and vetting which was completed at the committee level; 6) criteria should be changed to reflect values and the best approach; 7) suggest reviewing criteria on a two year cycle;

8) keep in mind the ultimate goal, and; 9) focus on the weight of the criteria, specifically on the “targets population with specific needs.”

Public Comment

Mr. Boone expressed support for increasing the weight of special needs communities and suggested funding is far too low and the allocations need to be changed.

M/S/C (Chavez/McAlister) to defer approving the criteria of the 2016 Measure B Bicycle/Pedestrian Capital Projects Competitive Grant Program. Further, the Board directed staff to bring the Board’s comments and suggestions to the Technical Advisory Committee and Bicycle and Pedestrian Advisory Committee to solicit more feedback.

RESULT:	DEFERRED – Agenda Item #7.3
MOVER:	Cindy Chavez, Vice Chairperson
SECONDER:	John McAlister, Board Member
AYES:	Carr, Carrasco, Chavez, Ellenberg, Hendricks, Jones, Liccardo, McAlister, O’Neill, Peralez, Rennie
NOES:	None
ABSENT:	Diep

Board Member Liccardo left the meeting at 6:57 p.m.

7.4. Silicon Valley Express Lanes Electronic Toll Systems Integrator – Contract Amendment #2

Casey Emoto, Deputy Director Mobility Project Development, and Murali Ramanujam, Transportation Engineering Manager, provided the report.

Members of the Board and staff discussed the following: 1) concerns with converting multiple carpool lanes to express lanes; 2) the importance of changing behavior; 3) FasTrak transponder, and; 4) capacity and roadway improvements.

Public Comment

Mr. Lebrun noted the importance of toll violation enforcement.

M/S/C (**Chavez/Jones**) to authorize the General Manager to:

- 1) Execute a contract amendment with TransCore, LP for the Electronic Toll System (“ETS”) Integration Services for the Silicon Valley Express Lanes (SVEL) Program:
 - Increasing the amount by \$60,000,000 bringing the contract value to \$64,416,624.
 - Extending the period of service until December 31, 2027.
- 2) Execute Task Orders under this contract up to the Board approved amount.

RESULT:	APPROVED– Agenda Item #7.4
MOVER:	Cindy Chavez, Vice Chairperson
SECONDER:	Chappie Jones, Board Member
AYES:	Carr, Carrasco, Chavez, Ellenberg, Hendricks, Jones, McAlister, O’Neill, Peralez, Rennie
NOES:	None
ABSENT:	Diep, Liccardo

6. CONSENT AGENDA (Continued)

6.4. Tamien Station Exclusive Negotiations Agreement Extension and

6.5. Santa Clara Caltrain Station Exclusive Negotiations Agreement Extension

Board Member Carrasco asked for a Motion for Reconsideration to note her recusal on **Agenda Item #6.4.**, Tamien Station Exclusive Negotiations Agreement Extension and **Agenda Item #6.5.**, Santa Clara Caltrain Station Exclusive Negotiations Agreement Extension.

M/S/C (**Carrasco/Chavez**) to reconsider the votes on Consent **Agenda Item #6.4.**, Tamien Station Exclusive Negotiations Agreement Extension and **Agenda Item #6.5.**, Santa Clara Caltrain Station Exclusive Negotiations Agreement Extension.

RESULT:	APPROVED to reconsider the vote on Agenda Item #6.4-6.5
MOVER:	Magdalena Carrasco, Board Member
SECONDER:	Cindy Chavez, Board Member
AYES:	Carr, Carrasco, Chavez, Ellenberg, Hendricks, Jones, McAlister, O’Neill, Peralez, Rennie
NOES:	None
ABSENT:	Diep, Liccardo

M/S/C (Hendricks/Carr) on a vote of 8 ayes to 0 noes to 2 recusals to authorize the General Manager to enter into an extension of the Exclusive Negotiations Agreement (ENA) for the Tamien Station TOD site between VTA and UrbanCo Tamien LLC for three additional months so that it expires November 8th, 2019 in order to complete legal documentation and subsequently execute a Lease Option Agreement (LOA) based on the business terms and conditions approved by the Board of Directors in March of 2019. Board Members Carrasco and Chavez recused.

RESULT:	APPROVED – Agenda Item #6.4
MOVER:	Larry Carr, Board Member
SECONDER:	Glenn Hendricks, Alternate Board Member
AYES:	Carr, Ellenberg, Hendricks, Jones, McAlister, O’Neill, Peralez, Rennie
NOES:	None
RECUSAL:	Carrasco, Chavez
ABSENT:	Diep, Liccardo

M/S/C (Carr/Hendricks) on a vote of 9 ayes to 0 noes to 1 recusal to authorize the General Manager to extend the Exclusive Negotiations Agreement (ENA) for the Santa Clara Caltrain Station Park and Ride Lot between VTA, the City of Santa Clara and Republic Metropolitan (Developer), for up to twelve months after the current expiration date of August 5, 2019 conditioned upon a deadline for the proposed terms and conditions for a Transit-Oriented Development project on VTA’s property being presented to the Board of Directors at its November meeting, and the subsequent execution by Developer of a Development Agreement (DA) or Lease Option Agreement (LOA) by February 5, 2020. The General Manager may extend either of these deadlines, up to a 12-month maximum extension period for the ENA, upon a determination that substantial progress has been made and that additional time is needed to negotiate the terms and conditions of a proposed agreement(s). Board Member Carrasco recused.

RESULT:	APPROVED – Agenda Item #6.5
MOVER:	Glenn Hendricks, Alternate Board Member
SECONDER:	Larry Carr, Board Member
AYES:	Carr, Chavez, Ellenberg, Hendricks, Jones, McAlister, O’Neill, Peralez, Rennie
NOES:	None
RECUSAL:	Carrasco
ABSENT:	Diep, Liccardo

7. REGULAR AGENDA (Continued)

7.5. BART Silicon Valley Rapid Transit Program: Construction Management Services Contract No. S12015F Amendment with PGH Wong Engineering, Inc.

Board Member Jones noted his recusal on **Agenda Item #7.5.**, BART Silicon Valley Rapid Transit Program: Construction Management Services Contract No. S12015F Amendment with PGH Wong Engineering, Inc.

Board Member Jones left his seat at 7:18 p.m.

Dennis Ratcliffe, Deputy Director, SVRT/BART Capital Program, provided the report.

Board Member Rennie left his seat at 7:19 p.m.

Public Comment

Aboubacar Ndiaye, Interested Citizen, queried about funding sources. Staff indicated funding will come through partially allocated and unallocated contingency funds.

M/S/C (Chavez/Carr) on a vote of 8 ayes to 0 noes to 1 recusal to authorize the General Manager to execute a contract amendment with PGH Wong Engineering, Inc. (Wong), for construction management services through project completion and post-completion activities for the Silicon Valley Berryessa Extension (SVBX) Project in the amount of \$5,628,750; and increasing the total agreement value to \$74,000,000. Board Member Jones recused.

RESULT:	APPROVED – Agenda Item #7.5
MOVER:	Cindy Chavez, Vice Chairperson
SECONDER:	Larry Carr, Board Member
AYES:	Carrasco, Carr, Chavez, Ellenberg, Hendricks, McAlister, O'Neill, Peralez
NOES:	None
ABSENT:	Diep, Liccardo, Rennie
RECUSED:	Jones

Board Members Jones and Rennie returned to their seats at 7:21 p.m.

7.6. Eastridge to BART Regional Connector – Final Design and Engineering Services Contract Amendment

Ven Prasad, Engineering Group Manager - Rail ETPD and Carolyn Gonot, Chief Engineering & Program Delivery Officer, provided the staff report. Jason Kim, Sr. Transportation Planner, provided additional information.

Board Member Peralez left his seat at 7:26 p.m.

Board Member Peralez returned to his seat at 7:29 p.m.

Members of the Board and staff discussed the following: 1) additional study; 2) guideway design, and; 3) future vehicle technology.

M/S/C (Chavez/Jones) on a vote of 9 ayes to 1 noes to 0 refusal to authorize the General Manager to amend the Contract S16250 in the amount of \$8,400,000 with BKF Engineers (BKF) to perform final design for Eastridge to BART Regional Connector (EBRC), resulting in a new total authorized contract amount of \$22,819,983. Board Member McAlister opposed.

RESULT:	APPROVED – Agenda Item #7.6
MOVER:	Cindy Chavez, Vice Chairperson
SECONDER:	Chappie Jones, Board Member
AYES:	Carrasco, Carr, Chavez, Ellenberg, Hendricks, Jones, O’Neill, Peralez, Rennie
NOES:	McAlister
ABSENT:	Diep, Liccardo
RECUSAL:	None

7.7. Roadway Worker Warning System

Inez Evans Benson, Chief Operating Officer, and Daniel Hecht, Operations Manager, Rail Vehicle Maintenance & Engineering, provided a presentation entitled “Roadway Worker Warning System (RWWS).

Vice Chairperson Chavez left her seat at 7:55 p.m.

Vice Chairperson Chavez returned to her seat at 7:59 p.m.

Public Comment

Mr. Lebrun noted the United Kingdom Roadway Worker Warning System incorporates the audio alarm into the hearing protection device worn by workers.

M/S/C (Hendricks/Rennie) to authorize the General Manager to execute a firm fixed price contract with Protran Technology, a division of Harsco Rail, in the amount of \$2,169,234.69 to procure and install the Roadway Worker Warning System (RWWS) and associated equipment for VTA.

RESULT:	APPROVED – Agenda Item #7.7
MOVER:	Glenn Hendricks, Board Member
SECONDER:	Rob Rennie, Board Member
AYES:	Carrasco, Carr, Chavez, Ellenberg, Hendricks, Jones, McAlister, O'Neill, Peralez, Rennie
NOES:	None
ABSENT:	Diep, Liccardo

7.8. Route 65 Ridership Campaign Results

Jay Tyree, Senior Transportation Planner, and Dino Guevarra, Market Development Manager, provided a presentation entitled “Route 65 Ridership Campaign.”

Chairperson O'Neill left her seat at 8:02 p.m.

Chairperson O'Neill returned to her seat at 8:04 p.m.

Public Comment

The following members expressed support for continuing Bus Route 65 service:

- Cole Cameron
- Monica Mallon
- Eugene Bradley
- Andrew Boone

Members of the Board and staff engaged in a robust discussion, highlighting: 1) factors contributing to ridership decline; 2) community outreach efforts; 3) customers migrating to adjacent routes; 4) budget funding consideration; 5) re-examine investment strategy; and 6) data analysis.

M/S/F (Rennie/McAlister) to increase hours on Bus Route 65 rather than discontinue service.

RESULT:	FAILED – Agenda Item #7.8
MOVER:	Rob Rennie, Board Member
SECONDER:	John McAlister, Board Member
AYES:	Carrasco, McAlister, Rennie
NOES:	Carr, Chavez, Ellenberg, Jones, Hendricks, O'Neill, Peralez
ABSENT:	Diep, Liccardo

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

M/S/C (Perez/Chavez) on a vote of 8 ayes to 2 noes to 0 refusal to confirm the discontinuation of Route 65 service per the 2019 New Transit Service Plan, as adopted on May 2, 2019. Board Members Carrasco and Rennie opposed.

RESULT:	APPROVED – Agenda Item #7.8
MOVER:	Raul Perez, Board Member
SECONDER:	Cindy Chavez, Vice Chairperson
AYES:	Carr, Chavez, Ellenberg, Hendricks, Jones, McAlister, O’Neill, Perez
NOES:	Carrasco, Rennie
ABSENT:	Diep, Liccardo

Alternate Board Member Hendricks left his seat at 9:26 p.m.

Board Member Carrasco left the meeting at 9:27 p.m.

Alternate Board Member Hendricks returned to his seat at 9:29 p.m.

7.9. Caltrain Business Plan Update

Sebastian Petty, Caltrain Senior Policy Advisor, provided a presentation entitled “Choosing a Long-Range Vision.”

Members of the Board expressed support for Caltrain.

Public Comment

Mr. Boone expressed support for the Caltrain Business Plan.

Omar Chatty, Interested Citizen, commented on the following: 1) expressed support for BART around the Bay and suggested implementing a feasibility study to bring BART up the corridor, and; 2) expressed concern with Caltrain fatalities.

Mr. Lebrun commented on tax ballot measures.

On order of Chairperson O’Neill and there being no objection, the Board received an update on the Caltrain Business Plan.

The Agenda was taken out of order.

6.6. Regionally Significant Projects Submission

John Sighamony, Senior Transportation Planner, provided a presentation entitled “Regionally Significant Project List.”

Members of the Committee and staff discussed the following: 1) MTC’s report and assessment will be forthcoming in October 2019, and; 2) importance of agency collaboration and combining work plans.

Public Comment

Mr. Chatty offered the following comments: 1) expressed support for fiscally restrained projects, and; 2) encouraged roadway improvements.

M/S/C (Chavez/Hendricks) to adopt the Regionally Significant Projects for inclusion in the update to Metropolitan Transportation Committee (MTC) and Association of Bay Area Governments' (ABAG's) Plan Bay Area 2050.

RESULT:	APPROVED – Agenda Item #6.6
MOVER:	Cindy Chavez, Vice Chairperson
SECONDER:	Glenn Hendricks, Board Member
AYES:	Carr, Chavez, Ellenberg, Hendricks, Jones, McAlister, O'Neill, Peralez, Rennie
NOES:	None
ABSENT:	Carrasco, Diep, Liccardo

8. OTHER ITEMS

8.1. General Manager Report

Nuria I. Fernandez, General Manager/CEO, noted that the preliminary July 2019 Ridership Statistics were in Members' reading folders and on the public table.

Captain David Lera, Santa Clara County Sheriff's Department, provided a brief summary of safety efforts at VTA, including the following: 1) active shooter incident at the Gilroy Garlic Festival on July 28, 2019; 2) active shooter training for employees; 3) sterile zones for riders; 4) "See Something, Say Something" Campaign, and; 5) full scale active shooter exercise at the Milpitas BART station in August 2018. Captain Lera noted the July safety statistics were located on the dais and public table.

Public Comment

Mr. Chatty commented that it may have been difficult for law enforcement to maneuver the heavy traffic congestion going to the Gilroy tragedy and encouraged funding for Highway 101 widening.

8.1.A. VTA Block Update

Ron Golem, Director of Real Estate & Transit-Oriented Development, and Angus Campbell, Senior Partner, Foster + Partners, provided a presentation entitled "BART Phase II Transit-Oriented Development," highlighting the approach to Transit-Oriented Development on VTA sites at the VTA Block and Phase 2 Stations.

Vice Chairperson Chavez made the following comments: 1) suggested convening a workshop focused on financial frameworks and how this kind of work could provide a sustainable funding stream for VTA, and; 2) expressed the importance of having a conversation with VTA's financial partners.

Public Comment

Mr. Lebrun commented on the following: 1) private sector funding; 2) downtown cross-rail; 3) Diridon Station, and; 4) importance of conversations regarding Vallco and DeAnza before building begins.

Mr. Chatty queried about any potential downside experienced as well as the importance of considering cultural impacts.

8.1.B. Government Affairs Report

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

Public Comment

Mr. Chatty commented on potential funding for the Pacheco Pass Environmental Impact Report (EIR) through the congressional appropriations bill/budget bill line item process.

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

Dennis Ratcliffe, Deputy Director, SVRT/BART Capital Program, introduced Jorge Martinez, Silicon Valley Berryessa Extension (SVBX) Project Manager, Bechtel. Mr. Martinez provided a brief update.

8.2. Chairperson's Report

Chairperson O'Neill provided a brief report, noting: 1) American Public Transportation Association (APTA) Transit Board Members Seminar; 2) August 16, 2019, Joint VTA/BART Working Committee, and; 3) Ad Hoc Board Enhancement Committee.

Member McAlister provided a brief report on the following: July 29, 2019, Ad Hoc Board Enhancement Committee meeting, and; 2) APTA Conference.

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 - There was no report.
- Governance and Audit (G&A) Committee – There was no report.
- Congestion Management Program & Planning (CMPP) Committee - There was no report.
- Administration & Finance (A&F) Committee - There was no report.
- Safety, Security, and Transit Planning & Operations (SSTP&O) Committee - There was no report.

8.4.B. VTA Advisory Committees

- Technical Advisory Committee (TAC) - The June 12, 2019, Cancellation Notice was accepted as contained in the Agenda Packet.
- Citizens Advisory Committee (CAC) and 2000 Measure A Citizens Watchdog Committee (CWC) - The June 12, 2019, and July 10, 2019, Cancellation Notices were accepted as contained in the Agenda Packet.
- Bicycle and Pedestrian Advisory Committee (BPAC) – The June 12, 2019 Cancellation Notice and July 11, 2019 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 June 13, 2019, and July 11, 2019, Cancellation Notices 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 - The July 2, 2019, Minutes were accepted as contained on the dais.
- Diridon Station Joint Policy Advisory Board - There was no report.

8.4.D. Joint and Regional Commissions

- Caltrain Peninsula Corridor Joint Powers Board - The August 1, 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.

8.5. Announcements

There were no Announcements.

9. CLOSED SESSION

9.1. Recessed to Closed Session at 10:55 p.m.

Chairperson O'Neill noted as previously mentioned, the AFSCME and TAEA Successor Agreements were removed under **Closed Session Agenda Item #9.1.A.**

Evelynn Tran, General Counsel, noted in connection with **Agenda Item #9.1.B.** the item involves matters regarding Raj Srinath, Inez Evans Benson, and others similarly situated.

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

VTA Designated Representatives

Bob Escobar, Negotiator

Inez Evans, Chief Operating Officer

Sylvester Fadal, Director of HR, Procurement and Contracts
Department

Raj Srinath, Deputy General Manager/Chief Financial Officer

Employee Organizations

Amalgamated Transit Union, Local 265

American Federation of State, County, and Municipal Employees Local 101
(AFSCME) – **Removed from the Agenda**

Transportation Authority Engineers & Architects Association Local 21
(TAEA) – **Removed from the Agenda**

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

Name of Case: Santa Clara Valley Transportation, et al. v. California Public Employees' Retirement System (Office of Administrative Hearings No.: 2018070291)

C. Conference with Legal Counsel - Anticipated Litigation
[Government Code Section 54956.9(d)(2)] Significant Exposure to Litigation
No. of Potential Cases: 3 (plus others similarly situated)

9.2. Reconvene to Open Session at 12:40 a.m.

9.3. Closed Session Report

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

VTa Designated Representatives

Bob Escobar, Negotiator

Inez Evans, Chief Operating Officer

Sylvester Fadal, Director of HR, Procurement and Contracts
Department

Raj Srinath, Deputy General Manager/Chief Financial Officer

Employee Organizations

Amalgamated Transit Union, Local 265

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

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

Name of Case: Santa Clara Valley Transportation, et al. v. California Public Employees' Retirement System (Office of Administrative Hearings No.: 2018070291)

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

C. Conference with Legal Counsel - Anticipated Litigation
[Government Code Section 54956.9(d)(2)] Significant Exposure to Litigation
No. of Potential Cases: 3 (plus others similarly situated)

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 12:40 a.m. on August 2, 2019.

Respectfully submitted,

Anita McGraw, Board Assistant
VTA Office of the Board Secretary