

BOARD OF DIRECTORS MEETING

Thursday, September 1, 2022

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 Jones at 5:30 p.m. via video and teleconference.

1.1 ROLL CALL

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

* Alternates do not serve unless participating as a Member.

A quorum was present.

1.2 Orders of the Day

Chairperson Jones noted the addenda to the agenda: Safety and Security Update under **Agenda Item #5.2.**, General Manager's Report, and **Agenda Item #7.3.X.**, Silicon Valley Rapid Transit (SVRT) Program Update.

Chairperson Jones noted staff's request to defer **Agenda Item #4.1.** Resolutions of Necessity for two properties for VTA's BART Silicon Valley Phase II Project. Chair Jones noted the property owners and tenants were notified earlier in the day.

M/S/C (Liccardo/Constantine) to accept the Orders of the Day.

RESULT:	Accepted Orders of the Day – Agenda Item #1.2
MOVER:	Sam Liccardo, Board Member
SECONDER:	Rich Constantine, Board Member
AYES:	Burt, Carrasco, Chavez, Constantine, Jain, Jimenez, Jones, Lee, Liccardo, Montano, Paul, Peralez
NOES:	None
ABSENT:	None

2. AWARDS AND COMMENDATION

The Board of Directors recognized Ronald Langston, Coach Operator, for 42 years of service.

The following VTA retirees were unable to attend the meeting and were recognized: Deborah Hart, Coach Operator, for 41 years of service; Gregory Nash, Coach Operator, for 33 years of service; Robert Munoz, Track Worker, for 32 years of service; Janice Cauchon, Light Rail Operator, for 28 years of service; Wade Kemp, Light Rail Power Foreperson, for 28 years of service; Steven Jackson, Light Rail Dispatcher, for 27 years of service; Jaime Gomez, Service Mechanic, for 26 years of service; Daniel Lundquist, Service Worker, for 26 years of service; Michael Baker, Transportation Supervisor, for 25 years of service; and Jose Claudio, Coach Operator, for 25 years of service.

3. PUBLIC COMMENT

Stephanie Fritch, Interested Citizen, inquired about the benefits for the families of the May 26, 2021, victims.

Blair Beekman, Interested Citizen, commented about the following: 1) shot spotters at the Berryessa Bay Area Rapid Transit (BART) station; and 2) VTA morale.

4. PUBLIC HEARINGS

4.1. (DEFERRED)

Close Hearing and adopt two (2) Resolutions of Necessity determining that the public interest and necessity require the acquisitions of real property interests on properties located in the City of San Jose and owned respectively by (1) BSREP II SJ TOWERS, LLC, a Delaware limited liability company, and (2) GOLDROCK HOLDINGS, LLC a California limited liability company, for VTA's BART Silicon Valley Phase II Project.

Property ID/Assessor's Parcel Number/Owner

B3220 (APN No.: 467-21-033, -034, -036, -037, -040) owned by BSREP II SJ

TOWERS, LLC, a Delaware limited liability company

Property ID/Assessor's Parcel Number/Owner

B3213 (APN No.: 467-21-004 and 467-21-005) owned by GOLDROCK HOLDINGS, LLC, a California limited liability company..

5. REPORTS

5.1. Committee Reports

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

There was no Citizens Advisory Committee (CAC) Chairperson's Report.

5.1.B. Policy Advisory Committee (PAC) Chairperson's Report

Chairperson Jones noted the PAC Chairperson's Report was available in the online agenda packet.

5.1.C. Standing Committee Chairpersons' Report

Chairperson Jones noted that the Standing Committee Chairpersons' reports were available in the online agenda packet.

5.1.D. Policy Advisory Board Chairpersons' Report

Chairperson Jones noted that the Diridon JPAB Chairperson's report was available in the online agenda packet.

Public Comment

Mr. Beekman commented about the following: 1) VTA's joint meeting with BART; and 2) long term planning issues.

5.2. General Manager Report

Carolyn M. Gonot, General Manager/CEO, provided a report, highlighting the following: 1) VTA employee Danny Quintana's artwork installed at the Guadalupe Yard; 2) ridership; 4) VTA's Operator graduation was held on August 10, 2022; 5) Silicon Valley Pride Parade was held on August 28, 2022; and 6) VTA's Media Relations, Marketing and Outreach updates. Ms. Gonot introduced the new Executive Team members: Gary Griggs, Chief Program Officer for the BART Silicon Valley Extension Phase II; Sonya Morrison, Chief People Officer; and Aston Greene, Chief of Systems Safety and Security;

- **Safety and Security Update**

Mr. Greene provided a brief report on the security/safety initiatives he will be undertaking to improve safety for VTA riders and employees.

5.2.A. Government Affairs Update

Scott Haywood, Deputy Director, Transit Planning & Capital Development, provided updates on the following: 1) 2022-2023 State Budget; 2) 2022 State Legislative Session; and 3) senate bills VTA supports. Mr. Haywood noted a more comprehensive Government Affairs report can be found in the online agenda packet.

Public Comment

Eugene Bradley, Silicon Valley Transit Users, welcomed the new hires to VTA.

Mr. Beekman thanked VTA staff for their ongoing work on the Silicon Valley BART Phase II project.

Members of the Board made the following comments: 1) welcomed Mr. Greene to VTA and expressed support for efforts to improve safety and security for passengers and employees.

Upon inquiry, Evelyn Tran, General Counsel, announced that her staff would follow up with Ms. Fritch's question.

5.3. Chairperson's Report

Chairperson Jones provided a brief report about the City of San Jose's implementation of Transit Signal prioritization. Chairperson Jones introduced Ramses Madou, Division Manager, City of San Jose who provided a brief presentation entitled, "San Jose Transit First Policy."

Public Comment

Mr. Beekman commented about how VTA and San Jose have been working for several years on traffic modifications as it relates to transit.

Mr. Bradley, commented about the following: 1) commended City of San Jose for their Transit First Policy; 2) the need to increase transit speed; and 3) how San Jose will help VTA.

Members of the Board and Mr. Madou discussed the following: 1) micro mobility trips versus transit trips and the comparative costs; 2) signal prioritization; 3) the need for benches at bus stops; 3) how to increase micro transit solutions; and 4) the possibility of creating a Santa Clara transit first policy.

6. CONSENT AGENDA

Board Member Chavez noted her recusal on the following items: **Agenda Item #6.1.**, Calaveras Improvements Project; **Agenda Item #6.2.**, Non-Competitive Procurement Justification for Advertising; **Agenda Item #6.8.**, 2016 Measure B Caltrain Grade Separation Projects Cooperative Agreements; and **Agenda Item #6.10.**, I-680 Express Lanes Joint Powers Authority Agreement; citing Government Code Section 84308.

Board Member Liccardo noted his recusal on **Agenda Item 6.1.**, Calaveras Improvements Project, citing Government Code Section 84308.

Public Comment

Mr. Beekman referred to **Agenda Item #6.3.**, 2022 Amended and Reinstated Clipper Memorandum of Understanding, and commented about fare issues.

ADMINISTRATION AND FINANCE (A&F) COMMITTEE

6.1. Calaveras Improvements Project

M/S/C (**Constantine/Montano**) on a vote of 9 ayes, 0 noes to 2 recusals to authorize the General Manager to execute a contract with Biggs Cardosa Associates Inc in the amount not to exceed \$3,199,900 to provide engineering services toward completion of the Project Approval/Environmental Documentation phase for the Calaveras Boulevard Improvements Project (Project) and to be able to return to the VTA Board for approval of contract amendments for future phases of the Project. Board Members Chavez and Liccardo recused.

6.2. Non-Competitive Procurement Justification for Advertising

M/S/C (**Constantine/Montano**) on a vote of 10 ayes, 0 noes to 1 recusal to authorize the General Manager to utilize a Non-Competitive Procurement Justification (NCPJ) for existing and new Marketing promotional advertising purchase orders through June 30, 2029, with a not-to-exceed total aggregate value of \$14 million. Board Member Chavez recused.

6.3. 2022 Amended and Reinstated Clipper Memorandum of Understanding

M/S/C (**Constantine/Montano**) to authorize the General Manager to execute the 2022 Amended and Reinstated Clipper Memorandum of Understanding to implement the Next Generation Clipper System (C2).

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

CONGESTION MANAGEMENT PROGRAM & PLANNING (CMPP) COMMITTEE

6.4. FY2022/23 TFCA Program Manager Fund

M/S/C (Constantine/Montano) to approve the programming of FY 2022/23 (FYE23) Transportation Fund for Clean Air (TFCA) County Program Manager (CPM) funds to projects.

6.5. FY2022/23 TDA3 Project Priorities

M/S/C (Constantine/Montano) to adopt Resolution No. 2022.09.27 approving the project priorities for the FY 2022/23 Countywide Transportation Development Act (TDA) Article 3 program.

6.6. Federal Transit Administration (FTA) Section 5311 Rural Area Grant Program

M/S/C (Constantine/Montano) to adopt Resolution No. 2022.09.28 authorizing the General Manager to submit and execute grant applications and agreements, certifications, assurances, and other documents as necessary to receive funding from the California Department of Transportation (Caltrans) under the Federal Transit Administration (FTA) Section 5311 Formula Grant for Rural Areas Program.

6.7. 2016 Measure B Bicycle & Pedestrian Capital Project Funding - Los Gatos Creek Trail to Highway 9 Trailhead Connector Project

M/S/C (Constantine/Montano) to shift the previously awarded amount of \$693,560 in 2016 Measure B Bicycle & Pedestrian Capital Project funds from the construction phase of the Kennedy Road Sidewalk and Class II Bike Lanes project and award it to the construction phase of the Los Gatos Creek Trail Connector to Highway 9 project, both in the Town of Los Gatos.

6.8. 2016 Measure B Caltrain Grade Separation Projects Cooperative Agreements

M/S/C (Constantine/Montano) on a vote of 10 ayes, 0 noes to 1 refusal to authorize the General Manager to execute the necessary separate agreements and amendments with the City of Mountain View or City of Palo Alto and the Peninsula Corridor Joint Powers Board to deliver the Rengstorff Avenue, Churchill Avenue and Meadow Drive/Charleston Road Grade Separation Projects. Board Member Chavez refused.

6.9. Express Lanes Ordinance Update

M/S/C (Constantine/Montano) to approve the change in the express lanes toll ordinance to reduce current toll violation penalty from \$25 to \$10 and the accompanying late fee from \$45 to \$20.

6.10. I-680 Express Lanes Joint Powers Authority Agreement

M/S/C (Constantine/Montano) on a vote of 10 ayes, 0 noes and 1 refusal to authorize the General Manager to enter into a Third Amended and Restated Joint Powers Agreement with the Alameda County Transportation Commission (ACTC) in connection with the operations of the Sunol Smart Carpool Lane Joint Powers Authority outlining new conditions for its dissolution and conversion of the I-680 express lane segment within Santa Clara County to a carpool lane at ACTC's cost and expense. Board Member Chavez refused.

6.11. Project Monitoring Quarterly Report

M/S/C (Constantine/Montano) to receive the Programmed Projects Quarterly Monitoring Report for April to June 2022.

**SAFETY, SECURITY, AND TRANSIT PLANNING & OPERATIONS (SSTP&O)
COMMITTEE**

There were no items submitted for the Consent Agenda from the Safety, Security, and Transit Planning & Operations Committee

GOVERNANCE AND AUDIT (G&A) COMMITTEE

6.12. Auditor General's Assessment Report – Part 2 VTA's BART Silicon Valley - Phase II Expenditures and Contract Oversight

M/S/C (Constantine/Montano) to review and accept the Auditor General's report on the BART Silicon Valley - Phase II Assessment, Part 2 on expenditures and contract oversight.

BOARD OF DIRECTORS

6.13. Regular Meeting Minutes of August 4, 2022

M/S/C (Constantine/Montano) to approve the Regular Meeting Minutes of August 4, 2022.

6.14. Subsequent Resolution to Continue Remote Board and Committee Meetings

M/S/C (Constantine/Montano) to adopt subsequent **Resolution No.2022.09.29** authorizing the Santa Clara Valley Transportation Authority (VTA) Board of Directors and all standing, advisory, policy, oversight, steering, and inter-agency committees and subcommittees of the Board to continue to meet by remote teleconference, subject to the requirements of Assembly Bill 361 (Rivas).

6.15. 2016 Measure B FY 2021 Annual Report

M/S/C (Constantine/Montano) to receive the 2016 Measure B FY 2021 Annual Report.

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

M/S/C (Constantine/Montano) to receive unapproved Minutes/Summary Reports from VTA Committees, Joint Powers Boards (JPB), and Regional Commissions.

Board Member Jimenez left the video and teleconference meeting at 6:31 p.m.

RESULT:	APPROVED – Consent Agenda Items #6.3-6.7, 6.9, 6.11-6.16
MOVER:	Rich Constantine, Vice Chairperson
SECONDER:	Carmen Montano, Alternate Board Member
AYES:	Burt, Carrasco, Chavez, Constantine, Jain, Jones, Lee, Liccardo, Montano, Paul, Peralez
NOES:	None
ABSENT:	Jimenez

RESULT:	APPROVED – Consent Agenda Item #6.1
MOVER:	Rich Constantine, Vice Chairperson
SECONDER:	Carmen Montano, Alternate Board Member
AYES:	Burt, Carrasco, Constantine, Jain, Jones, Lee, Montano, Paul, Peralez
NOES:	None
ABSENT:	Jimenez
RECUSED:	Chavez, Liccardo

RESULT:	APPROVED – Consent Agenda Item #6.2
MOVER:	Rich Constantine, Vice Chairperson
SECONDER:	Carmen Montano, Alternate Board Member
AYES:	Burt, Carrasco, Constantine, Jain, Jones, Lee, Liccardo, Montano, Paul, Peralez
NOES:	None
ABSENT:	Jimenez
RECUSED:	Chavez

RESULT:	APPROVED – Consent Agenda Item #6.8
MOVER:	Rich Constantine, Vice Chairperson
SECONDER:	Carmen Montano, Alternate Board Member
AYES:	Burt, Carrasco, Constantine, Jain, Jones, Lee, Liccardo, Montano, Paul, Peralez
NOES:	None
ABSENT:	Jimenez
RECUSED:	Chavez

RESULT:	APPROVED – Consent Agenda Items #6.10
MOVER:	Rich Constantine, Vice Chairperson
SECONDER:	Carmen Montano, Alternate Board Member
AYES:	Burt, Carrasco, Constantine, Jain, Jones, Lee, Liccardo, Montano Paul, Peralez
NOES:	None
ABSENT:	Jimenez
RECUSED:	Chavez

Board Member Jimenez returned to the video and teleconference meeting at 6:33 p.m.

7. REGULAR AGENDA

ADMINISTRATION AND FINANCE (A&F) COMMITTEE

Vice Chairperson Constantine and Board Members Chavez and Peralez recused themselves from **Agenda Item #7.1.**, Amendment to Lease Option Agreement (LOA) for Tamien Station Transit-Oriented Development Project, citing Government Code 84308. They left the video and teleconference meeting at 6:35 p.m.

7.1. Amendment to Lease Option Agreement (LOA) for Tamien Station Transit-Oriented Development Project

Ron Golem, Director of Real Estate and Transit Oriented Development (TOD), and Jessie O'Malley Solis, Transit Oriented Development Manager, provided an overview of the staff report and provided a presentation entitled "Lease Option Agreement Amendment for Tamien Station TOD Project."

Public Comment

Mr. Beekman commended staffs' efforts for bringing together housing and transportation in San Jose and Santa Clara.

Theadora Abraham, Board Assistant, noted for the record that Board Member Liccardo recused himself and left the video and teleconference meeting at 6:38 p.m., citing Government Code 84308.

Public Comment

Vince Rocha, President of Housing and Community Development with the Silicon Valley Leadership Group, expressed support for staff's recommendation.

Ms. Abraham noted that the written public comment received from Michael R. Van Every, Republic Urban Properties, and Chris Neale, Core Companies, Mr. Rocha, and Silicon Valley At Home, was posted in the online agenda packet.

Members of the Board and staff discussed the following: 1) market rent increases; 2) suggestions on how to include transit passes for residents, including any programs that assist with providing transit passes to lower and/or affordable income housing; 3) how to market and encourage people to take advantage of the transit stations; 4) how to get the developers to contribute while still advancing the project, including the possibility of an additional requirement in exchange for an exemption on parking; and 5) who controls the rent for the affordable housing; and the need for long term affordable housing.

Board Member Paul left the video and teleconference meeting 7:08 p.m.

M/S/C (Jimenez/Jain) on a vote of 7 ayes, 0 noes, 1 absent to 4 recusals to authorize the General Manager to amend the Lease Option Agreement (LOA) for the Tamien Transit-Oriented Development (TOD) project with Urban Co Tamien, LLC (UrbanCo) to 1) change future transit parking from 566 stalls to 450 stalls and implement a Transportation Demand Management (TDM) program to mitigate impacts; 2) make modifications to the phases of the project; 3) modify the Ground Lease forms and 4) provide an additional option period with payment of \$243,750 to extend the LOA by 18 months for a maximum term of 54 months. Vice Chairperson Constantine and Board Members Chavez, Peralez and Liccardo recused.

RESULT:	APPROVED – Agenda Item #7.1
MOVER:	Sergio Jimenez, Board Member
SECONDER:	Suds Jain, Board Member
AYES:	Burt, Carrasco, Jain, Jimenez, Jones, Lee, Montano,
NOES:	None
ABSENT:	Paul
RECUSED:	Chavez, Constantine, Peralez, Liccardo

Board Member Paul returned to the video and teleconference meeting at 7:11 p.m.

CONGESTION MANAGEMENT PROGRAM & PLANNING (CMPP) COMMITTEE
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There were no items submitted for the Regular Agenda from the Congestion Management Program and Planning Committee.

**SAFETY, SECURITY, AND TRANSIT PLANNING & OPERATIONS (SSTP&O)
COMMITTEE**

7.2. 2022 Title VI Service Monitoring Report

Jay Tyree, Transportation Planning Manager, provided an overview of the staff report and provided a presentation entitled “2022 Monitoring Report.”

Public Comment

Mr. Beekman commented about the following: 1) public meetings; 2) addressing equity issues; and 3) violence in Santa Clara County.

A brief discussion ensued about Title VI and minority areas where riders board at a stop with a bench. A Member of the Board noted the importance of adding more shelters and benches to bus stops.

Public Comment Continued

Mr. Bradley commented about the following: 1) the need for more bus stop benches, specifically in Milpitas; and 2) San Jose areas that need proper lighting and shelters, including Alma and Senter.

M/S/C (Constantine/Montano) to adopt Resolution No. 2022.09.30 approving the VTA 2022 Monitoring Program report.

RESULT:	ADOPTED –Agenda Item #7.2
MOVER:	Rich Constantine, Vice Chairperson
SECONDER:	Carmen Montano, Alternate Board Member
AYES:	Burt, Carrasco, Chavez, Constantine, Jain, Jimenez, Jones, Lee, Liccardo, Montano Paul, Peralez
NOES:	None
ABSENT:	None

GOVERNANCE AND AUDIT (G&A) COMMITTEE

There were no items submitted for the Regular Agenda from the Governance and Audit Committee

BOARD OF DIRECTORS

7.3. Authorize Bus Contract Award for 92 Hybrid Diesel-Electric buses to Gillig LLC

Jim Wilhelm, Bus Engineering, Quality Assurance and Warranty Manager, provided an overview of the staff report.

Public Comment

Mr. Beekman commented about the following: 1) VTA's need to increase morale; and 2) suggested having open discussions about the future use of green technology.

Mr. Bradley commented about the following: 1) support for staff's recommendation; 2) retirement of 2001 and 2002 diesel buses; and 3) purchasing electric buses that enable riders to open windows.

Members of the Board and staff discussed the following: 1) VTA's plans for charging the hybrid buses, including any plans to use solar; 2) concerns about locking VTA into a contract that continues using diesel buses; 3) how VTA's current zero emission buses match the charging infrastructure; and 4) VTA cannot absorb more zero emission buses without increasing the charging infrastructure.

M/S/C (Constantine/Jimenez) in the amount of \$82,075,053.74 for the purchase of ninety-two (92) forty-foot Hybrid Diesel -Electric buses with all related equipment, support, and training. The execution of the contract would be subject to compliance with the Federal Transit Administration (FTA) pre-award Buy America requirements and the satisfactory clearance of any protests.

RESULT:	APPROVED –Agenda Item #7.3
MOVER:	Rich Constantine, Vice Chairperson
SECONDER:	Sergio Jimenez, Board Member
AYES:	Burt, Carrasco, Chavez, Constantine, Jain, Jimenez, Jones, Lee, Liccardo, Montano Paul, Peralez
NOES:	None
ABSENT:	None

7.3.X Silicon Valley Rapid Transit (SVRT) Program Update

Takis Salpeas, BART Silicon Valley Extension Project Chief, provided a presentation entitled "VTA's BART Silicon Valley Phase II Extension. Mr. Salpeas reviewed the proposed innovations for the Phase II project.

Ms. Gonot noted that staff will be looking for additional funding for the project which may include a capital investment grant.

Public Comment

Mr. Bradley commented about the following: 1) a recent community event held downtown; 2) cost control for the project and any contingency plans for cost overruns.

Scott Knies, Chief Executive Officer (CEO), San Jose Downtown Association, commented about the following: 1) support for the project improvements to create a better passenger experience; and 2) the need for BART to be operational to downtown San Jose once opened.

Mr. Beekman expressed support for the improvements that would increase passenger safety.

Members of the Board commended staff for their continued efforts in overseeing the project and expressed support for the changes that show significant safety improvements.

On order of Chairperson Jones and there being no objection, the Board received the Silicon Valley Rapid Transit (SVRT) Program Update.

7.4 SB 129 Joint Labor Management Committee Update

Marc DeLong, Transportation Authority Engineers and Architects Association (TAEA) Local 21, and John Pospishek, Amalgamated Transit Union (ATU) Local 265, provided an update on the Committee's efforts, highlighting the following: 1) procurement process for the Organizational Culture & Climate Transformation Contract; 2) collaboration between the unions and VTA staff; 3) peer support program that includes a separate female support group; and 4) stress management training. Mr. DeLong and Mr. Pospishek thanked the Board for their support.

Public Comment

Mr. Beekman commented about the following: 1) support for a peer-to-peer program; and 2) designs for the upcoming BART stations in downtown San Jose.

Members of the Board commended VTA's staff and union leadership for continuing to work together to move forward with the Organizational Culture & Climate Transformation Contract.

On order of Chairperson Jones and there being no objection, the Board received an update from SB 129 Joint Labor Management Committee.

8. OTHER ITEMS

8.1. ITEMS OF CONCERN AND REFERRAL TO ADMINISTRATION

Chairperson Jones announced that in the online agenda packet was a referral submitted by the City of San Jose Council regarding a Transit Oriented Development Transit Pass Policy, and requested VTA staff investigate the feasibility for a county wide Transit First policy.

Board Member Liccardo requested staff return to the Board by December 2022 with an update on a Transit Oriented Development Transit Pass Policy.

8.2. Announcements

There were no Announcements.

8.3. Public Comment (Continued)

There was no Public Comment.

9. CLOSED SESSION

Public Comment

Mr. Beekman thanked the Board for allowing public comment during Closed Session.

9.1 Recessed to Closed Session at 8:36 p.m.

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

Property: 2 North Market Street, San Jose, CA, also known as APN 259-34-019

Agency Negotiators: Ron Golem, Director of Real Estate & Transit-Oriented Development; Brittain Cheney, Cushman & Wakefield

Negotiating Parties: Dusan Miletich, President; Jared Gamelin, Vice President of Real Estate, Madrone Ventures

Under Negotiation: Proposed lease of space for VTA Downtown Service Center and BART Phase 2 Public Information Office

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

Name of Case: Lane et al v. Universal Protection Service, LP et al.
(Santa Clara County Superior Court Case No. 22CV398848)

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

Name of Case: Santa Clara Valley Transportation Authority v. Don's Investment & Development, Inc., et al.
(Santa Clara County Superior Court Case No. 21CV376994)

9.2 Reconvened to Open Session at 9:14 p.m.

9.3 Closed Session Report

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

Property: 2 North Market Street, San Jose, CA, also known as APN 259-34-019

Agency Negotiators: Ron Golem, Director of Real Estate & Transit-Oriented Development; Brittain Cheney, Cushman & Wakefield

Negotiating Parties: Dusan Miletich, President; Jared Gamelin, Vice President of Real Estate, Madrone Ventures

Under Negotiation: Proposed lease of space for VTA Downtown Service Center and BART Phase 2 Public Information Office

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: Lane et al v. Universal Protection Service, LP et al.
(Santa Clara County Superior Court Case No. 22CV398848)

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

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

Name of Case: Santa Clara Valley Transportation Authority v. Don's Investment & Development, Inc., et al.
(Santa Clara County Superior Court Case No. 21CV376994)

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

10. ADJOURNMENT

On order of Chairperson Jones and there being no objection, the meeting was adjourned at 9:15 p.m.

Respectfully submitted,

Theadora Abraham, Board Assistant
VTA Office of the Board Secretary