

BOARD OF DIRECTORS MEETING

Thursday, June 21, 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 9:03 a.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	Absent
Larry Carr	Board Member	Absent
Magdalena Carrasco	Board Member	Present
Cindy Chavez	Vice Chairperson	Absent
David Cortese	Board Member	Absent
Dev Davis	Alternate Board Member	NA
Lan Diep	Board Member	Present
Susan Ellenberg	Alternate Board Member	Present
Adrian Fine	Alternate Board Member	NA
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	Present
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.

Board Member Carrasco arrived and took her seat at 9:04 a.m.

1.3. Orders of the Day

Chairperson O'Neill requested placing **Agenda Item #7.2.** Diridon Integrated Station Concept Plan Update, on the Consent Agenda.

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

RESULT:	ACCEPTED – Agenda Item #1.3
MOVER:	Sam Liccardo, Board Member
SECONDER:	Chappie Jones, Board Member
AYES:	Carrasco, Diep, Jones, Liccardo, McAlister, O'Neill, Peralez, Rennie, Tran
NOES:	None
ABSENT:	Carr, Chavez, Cortese

2. AWARDS AND COMMENDATION

2.1. Resolution of Appreciation for Retiring VTA Staff

M/S/C (Rennie/Diep) to adopt **Resolution of Appreciation No. 2019.06.23** for Chris Augenstein upon his retirement as the Director of Planning and Programming.

RESULT:	Adopted– Agenda Item #2.1
MOVER:	Rob Rennie, Board Member
SECONDER:	Lan Diep, Board Member
AYES:	Carrasco, Diep, Jones, Liccardo, McAlister, O'Neill, Peralez, Rennie, Tran
NOES:	None
ABSENT:	Carr, Chavez, Cortese

M/S/C (Jones/Carrasco) to adopt **Resolution of Appreciation No. 2016.06.24** for James “Jim” Unites upon his retirement as the Deputy Director, Transit Planning and Capital Development.

RESULT:	Adopted– Agenda Item #2.1
MOVER:	Chappie Jones Board Member
SECONDER:	Magdalena Carrasco, Board Member
AYES:	Carrasco, Diep, Jones, Liccardo, McAlister, O'Neill, Peralez, Rennie, Tran
NOES:	None
ABSENT:	Carr, Chavez, Cortese

3. PUBLIC COMMENT

Blair Beekman, Interested Citizen, commented about policies related to autonomous vehicles and bicyclists.

Andrew Boone, Interested Citizen, commented about the following: 1) his candidacy for San Jose District 6; 2) housing goals; 3) Board's structure and priorities; and 3) Santa Clara County Civil Grand Jury Report.

Alternate Board Member Ellenberg arrived and took her seat at 9:13 a.m.

Roland Lebrun, Interested Citizen, commented about the impacts of capital expenditures for Bay Area Rapid Transit (BART) to San Jose Phase I and Phase II to VTA.

Monica Mallon, Interested Citizen, commented about the following: 1) the need for more bus service; 2) congestion relief; 3) the need for better coordination between the various transit agencies to provide seamless connections.

Eugene Bradley, Silicon Valley Transit Users, commented about the following: 1) Santa Clara County Civil Grand Jury report; 2) VTA's current challenges; 3) declining ridership; and 4) Board's duties.

4. PUBLIC HEARINGS

There were no Public Hearings.

5. COMMITTEE REPORTS

There were no Committee Reports.

6. CONSENT AGENDA

Public Comment

Mr. Boone referenced **Agenda Item #7.2.**, Diridon Integrated Station Concept Plan Update, and commented about the following: 1) BART's potential location at the Diridon station; 2) preservation of the Diridon station; 3) the need for safe and accessible roads for bicyclists; 4) VTA's focus on highway expansion versus progress for bicyclists roadways.

Howard Miller, Interested Citizen, referenced **Agenda Item #7.2.** and expressed concern that he does not see the heavily used drop-off zone in front of the Diridon station on the conceptual plans for the new station.

Mr. Beekman referenced **Agenda Item #7.2.** and commented about the following: 1) plans for the new Diridon station; and 2) High Speed Rail.

Mr. Lebrun referenced **Agenda Item #7.2.** and commented about the following: 1) Diridon station designs; 2) various design plans for downtown San Jose from corporations including Google.

Upon inquiry of Board Member Liccardo in reference to **Agenda Item #6.1.**, Resolution supporting use of Regional Low Carbon Transit Operations Program funds to VTA's Electric Bus Purchase, Marcella Rensi, Deputy Director of Grants & Fund Allocation, responded about the time frame, VTA's commitment, and the potential funding sources.

6.1. Resolution supporting use of Regional Low Carbon Transit Operations Program funds to VTA's Electric Bus Purchase

M/S/C (Jones/McAlister) to adopt **Resolution No. 2019.06.25** to apply Fiscal Year 2018 - 2019 population-based Low Carbon Transit Operations Program (LCTOP) funds to the VTA Zero Emission Bus Purchase.

6.2. Project Sponsor Resolution for Caltrans Sustainable Planning Grant

M/S/C (Jones/McAlister) to adopt **Resolution No. 2019.06.26** authorizing the General Manager to file and execute funding agreements and other necessary documents with the State of California Department of Transportation (Caltrans) in order to receive Sustainable Communities Planning Grant Program funds to prepare the Bicycle Superhighway Phase 1: Central Bikeway Feasibility Study and Alternatives Analysis.

7.2. Diridon Integrated Station Concept Plan Update

M/S/C (Jones/McAlister) to receive an update on the Diridon Station Concept.

RESULT:	APPROVED– Consent Agenda Items #6.1-6.2, 7.2
MOVER:	Chappie Jones, Board Member
SECONDER:	John McAlister, Board Member
AYES:	Carrasco, Diep, Ellenberg, Jones, Liccardo, McAlister, O'Neill, Peralez, Rennie, Tran
NOES:	None
ABSENT:	Carr, Chavez

7. REGULAR AGENDA

7.1. BART Silicon Valley Operations & Maintenance Agreement Overview

Nuria I. Fernandez, General Manager/CEO, provided opening remarks regarding the BART Operations and Maintenance (O&M) Agreement and next steps, noting she was eager to get it finalized prior to the implementation of BART service.

Carolyn Gonot, Chief Planning & Engineering Officer; Raj Srinath, Deputy General Manager/CFO; Michael Smith, Finance Debt & Investment Manager; and Victor A. Pappalardo, Senior Assistant Counsel, provided a presentation entitled BART Silicon Valley Operations & Maintenance (O&M) Agreement Overview.

Members of the Committee and staff engaged in discussion about the following:

- 1) how VTA compares to other counties as it relates to extensions and processes;
- 2) any distinction between BART's trains and the ones VTA purchased;
- 3) maintenance responsibility for the vehicles VTA purchased;
- 4) flow of funds model for receiving, holding and disbursement of funds;
- 5) various BART lines that will travel to San Jose;
- 6) clarification on the comprehensive agreement;
- 7) opportunities to amend the O&M agreement in the future, noting it would require a separate agreement;
- 8) examples that will require a joint approval between BART and VTA as it relates to funds;
- 9) any foreseen disputes around the O&M cost model;
- 10) an independent review of the BART cost model to ensure transparency;
- 11) when and how a surcharge would be implemented;
- 12) binding or non-binding dispute resolution process; and
- 13) importance of transparency.

Ms. Fernandez reported that the VTA purchased and/or BART purchased trains will not have any distinction, however once service begins, BART is committed to operating the newer vehicles along the extension to San Jose as they are slowly implemented into the entire BART system.

Public Comment

Mr. Bradley offered the following comments: 1) VTA's lean; and 2) inquired about contingency plans if a recession occurs.

Mr. Lebrun commented about the following: 1) parking at the new BART stations; 2) farebox recovery; 3) BART's capital projects; and 4) incentives for using Clipper card at the new BART stations; 4) suggestions for separating from BART.

Mr. Beekman commented about the following: 1) funding sources for the BART extension project; and 2) partnerships as it relates to funding.

On order of Chairperson O'Neill and there being no objection, the Board of Directors received the BART Silicon Valley Operations & Maintenance Agreement Overview

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

Receive an update on the Diridon Station Concept.

8. OTHER ITEMS

8.1. General Manager Report

Nuria I. Fernandez, General Manager/CEO, provided a report about the Faster Bay Area.

Public Comment

Ms. Mallon commented about the following: 1) advocated for more focus on transit service; and 2) seamless transfers amongst the various agencies.

Mr. Boone opposed Faster Bay Area and suggested stopping highway expansion projects and focusing on buses and bicyclists.

Mr. Beekman commented about the following: 1) transferring from BART to VTA Express buses; 2) highways and automobiles not being sustainable; and 3) support for Mr. Boones comments.

Mr. Bradley commented about the following: 1) the need to focus on better bus service; 2) reducing traffic congestion; and 3) stopping highway expansions.

Keith May, Interested Citizen, commented about the following: 1) the purpose of public transit; 2) bus route 22; 3) operating transit on late evenings would entice more people to ride; and 4) the need for more mass transit.

Members of the Committee and staff discussed the following: 1) outreach efforts by the coalition; 2) timeframe for getting on the ballot for the 2020 election; 3) concerns about rushing the process since it is time sensitive; 4) when the Board will receive the full project category list; 5) various groups that make up the coalition; 6) region wide measure; 7) transit super highways that could be along highway; 8) addressing public perception as it relates to road expansions; 9) estimated funds for Santa Clara County; and 10) how high speed rail will be included as it relates to this measure.

Ms. Fernandez and Scott Haywood, Transportation Planning Manager, informed the Board that VTA is not the lead agency for this measure. They noted staff will use every opportunity to provide updates to the Board as VTA receives the them.

8.2. Chairperson's Report

Chairperson O'Neill provided a report, highlighting the following: 1) release of the Santa Clara County Civil Grand Jury report on their investigation into the operation and governance of VTA; 2) noted VTA's next steps is to review and respond within 90 days to the Civil Grand Jury's findings and recommendations; and 3) VTA's next regular Board of Directors meeting is on August 1, 2019, at VTA River Oaks in the Auditorium.

Public Comment

Mr. Beekman commented about the following: 1) fracking; 2) public's involvement as it relates to VTA; and 3) how VTA is spending funds.

8.3. ITEMS OF CONCERN AND REFERRAL TO ADMINISTRATION

There were no Items of Concern and Referral to Administration.

8.5. Announcements

There were no Announcements.

9. CLOSED SESSION

Public Comment

Mr. Lebrun commented about the following: 1) funds for BART; 2) the increased cost of living in the Bay Area for VTA employees; and 3) support for VTA operators.

9.1. Recessed to Closed Session at 11:44 a.m.

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

VTA Designated Representatives

Bob Escobar, Negotiator

Raj Srinath, Deputy General Manager/Chief Financial Officer

Inez Evans, Chief Operating Officer

Geoff Holland, Acting Manager Employee Relations

Employee Organizations

Amalgamated Transit Union, Local 265

9.2. Reconvened to Open Session 11:58 a.m.

9.3. Closed Session Report

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

VTA Designated Representatives

Bob Escobar, Negotiator

Raj Srinath, Deputy General Manager/Chief Financial Officer

Inez Evans, Chief Operating Officer

Geoff Holland, Acting Manager Employee Relations

Employee Organizations

Amalgamated Transit Union, Local 265

Evelynn Tran, General Counsel, 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 11:59 p.m.

Respectfully submitted,

Theadora Abraham, Board Assistant
VTA Office of the Board Secretary