



BOARD OF DIRECTORS MEETING

Thursday, August 28, 2014

MINUTES

1. CALL TO ORDER AND ROLL CALL

The Regular Meeting of the Santa Clara Valley Transportation Authority’s (VTA) Board of Directors was called to order by Chairperson Kalra at 5:31 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
Jason Baker	Alternate Board Member	Present
Xavier Campos	Board Member	Present
Larry Carr	Alternate Board Member	Absent
Cindy Chavez	Board Member	Present
Dave Cortese	Alternate Board Member	Absent
Jose Esteves	Board Member	Absent
Rose Herrera	Board Member	Absent
Ash Kalra	Chairperson	Present
Johnny Khamis	Board Member	Absent
Rich Larsen	Alternate Board Member	Absent
Sam Liccardo	Ex-Officio	Absent
Jamie Matthews	Alternate Board Member	Present
Joe Pirzynski	Board Member	Present
Gail A. Price	Board Member	Absent
Donald Rocha	Board Member	Present
David Whittum	Board Member	Present
Perry Woodward	Vice Chairperson	Present
Ken Yeager	Board Member	Present

* Alternates do not serve unless participating as a Member.

A quorum was present.

1.2. Orders of the Day

Chairperson Kalra noted the Standing Committees met last week and their comments to the items on the agenda are in the reading folder and on the Public Table. The Committees recommended that the following Agenda Items be removed from the Regular Agenda and placed on the Consent Agenda: **Agenda Item #7.6.**, Passenger Safety Improvements Project Contract; **Agenda Item #7.7.**, Design Services for Light Rail Special Trackwork – Engineering Contract; **Agenda Item #7.8.**, Mission Boulevard/Warren Avenue/Freight Railroad Relocation – Amendment to the RGW Construction, Inc. Construction Contract; **Agenda Item #7.10.**, State Transportation Improvement Plan (STIP)

Amendments, and; **Agenda Item #7.12.**, Amendment of Agreement for Reimbursement for Santa Clara Valley Water District's Costs for SVBX Project Support.

Chairperson Kalra noted staff requested the following items be removed from the Regular Agenda and placed on the Consent Agenda: **Agenda Item #7.1.**, Adopt the 2014 Short Range Transit Plan; **Agenda Item #7.9.**, Santa Clara/Alum Rock Bus Rapid Transit Project – Agreement Between the City of San Jose, the Santa Clara Valley Transportation Authority and Merge Conceptual Design, Inc. to Fabricate and Deliver Works of Art, and; **Agenda Item #7.13.**, Transit Assistance Program Annual Update.

Chairperson Kalra noted staff also requested that the following two items be heard together: **Agenda Item #7.3.**, Approval of CalPERS Medical Resolutions for AFSCME and **Agenda Item #7.4.**, Approval of CalPERS Medical Resolutions for Non-Represented Employees and Retirees together.

Public Comment

The following interested citizens expressed support for the Transit Assistance Program (TAP) low-income fare pilot program, and noted the following: 1) the program is the solitary source of transportation for qualifying low-income clients; 2) the program makes a significant positive impact in the lives of the working poor and seniors allowing them to get to and from work, drop children at school, and appointments; 3) there is an increasing demand for TAP passes, and; 4) thanked the VTA and encouraged expansion of the program.

- Elizabeth Deloach, Sacred Heart
- Maureen Wadiak, Community Services Agency
- Marie Bernard, Sunnyvale Community Services
- Elizabeth Porcella, St. Joseph's Family Center
- Sujatha Venkatraman, West Valley Community Services
- Lupe Sanchez, Salvation Army
- Poncho Guevara, Sacred Heart

Chairperson Kalra thanked the speakers for their important feedback on the TAP pilot project.

M/S/C (Matthews/Pirzynski) to accept the Orders of the Day, and approve the Consent Agenda.**RESULT: ADOPTED [UNANIMOUS]**

MOVER:	Jaime Matthews, Alternate Board Member
SECONDER:	Joe Pirzynski, Board Member
AYES:	Campos, Chavez, Kalra, Matthews, Pirzynski, Rocha, Whittum, Woodward, Yeager
ABSENT:	Herrera, Khamis, Price

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

2. AWARDS AND COMMENDATION

2.1 Employees of the Month for September 2014

Chairperson Kalra recognized Kevin Kuhlmann, Bus Maintenance Instructor, Chaboya Bus Maintenance Training Center, and; Diana Sotelo, Coach Operator, Chaboya Operations as Employees of the Month for September, 2014. Jean Pierre Graveline, Transit Mechanic, Chaboya Maintenance, was unable to attend.

2.2 Recognize VTA Operator Janell Rubbo

The Board of Directors recognized Janell Rubbo, Coach Operator, Chaboya Operations, who came to the aid of an unresponsive woman lying on a nearby bench at her coach stop.

Nuria I. Fernandez, General Manager, presented Janell Rubbo with a General Manager Award and thanked her for her courageous and selfless actions.

3. PUBLIC COMMENT

James Wightman, Interested Citizen, suggested adding more Levi's Stadium parking, and expressed concern with the length of time it takes to replace a VTA Clipper Card.

4. PUBLIC HEARINGS

4.1. BART Silicon Valley Berryessa Extension (SVBX) Project Resolution of Necessity

Bijal Patel, Deputy Director of Real Estate, provided a presentation highlighting the Resolutions of Necessity (R.O.N.) Hearing for the BART Silicon Valley Berryessa Extension (SVBX) Project: 1) Project map; 2) Board's responsibilities in the Resolution of Necessity Hearing; 3) Resolution of Necessity Properties - BA Partners LLC., a California Limited Liability Company, and Mission Court Properties, Inc., a California Corporation.

Public Comment

There was no public comment.

M/S/C (Chavez/Matthews) to close the Public Hearing.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Cindy Chavez, Board Member
SECONDER:	Jaime Matthews, Alternate Board Member
AYES:	Campos, Chavez, Kalra, Matthews, Pirzynski, Rocha, Whittum, Woodward, Yeager
ABSENT:	Herrera, Khamis, Price

M/S/C (Matthews/Pirzynski) to adopt **Resolutions of Necessity Nos. 2014.08.14 and 2014.08.15** determining that the public interest and necessity requires the acquisition of property interests from two properties owned by: (1) BA Partners LLC, a California limited liability company, located in Fremont, California; and (2) Mission Court Properties, Inc., a California corporation, located in Fremont, California, for the BART Silicon Valley Berryessa Extension (SVBX) Project.

Motion approved by 9 Board Members.

Resolution No.: 2014.08.14

Property ID/Assessor's Parcel Number/Owner

B2007 (APN 519-1688-008) owned by BA Partners LLC, a California limited liability company

Resolution No.: 2014.08.15

Property ID/Assessor's Parcel Number/Owner

B2008 (APN 519-0850-008-08) owned by Mission Court Properties, Inc., a California corporation

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jaime Matthews, Alternate Board Member
SECONDER:	Joe Pirzynski, Board Member
AYES:	Campos, Chavez, Kalra, Matthews, Pirzynski, Rocha, Whittum, Woodward, Yeager
ABSENT:	Herrera, Khamis, Price

5. REPORTS

5.1. Citizens Advisory Committee (CAC) / 2000 Measure A Citizens Watchdog Committee (CWC) Chairperson's Report

There was no CAC/CWC report.

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

There was no PAC report.

5.3. General Manager's Report

Nuria I. Fernandez, General Manager, provided a report, highlighting:

- Ridership Report for July 2014, noting total system ridership is up by 1.8 percent compared to the same period last year.
- Fare Revenue Performance for July 2014, noting revenue was up 1.9 percent compared to July 2013.

- Key Performance Indicators for July 2014, noting bus and light rail operations met performance goals for Percent of Scheduled Service Operated, Miles Between Mechanical Failure for Bus, and Absenteeism.
- VTA employees participated in the Family Giving Tree Back to School Backpack Drive, noting that employees contributed over \$1400 in monetary donations and 45 backpacks.
- A more in-depth presentation regarding the Minority and Women-Owned Business Enterprise Program (MWBE Program) will be provided later on the agenda.

5.3.A Receive Update on Procurement Program Evaluation

- Bob Escobar, Deputy Director of Labor Relations, Procurement and Contracts & Materials Management, provided a presentation entitled “Procurement & Contracts Departmental Evaluation 2014,” highlighting: 1) Auditor General, APTA Peer and the FTA Triennial Review; 2) Findings & Recommendations; 3) FTA Triennial Review & Audit; 4) VTA Procurement Advisory Council; 5) VTA Procurement Web Pages; 6) Business & Financial: Doing Business with VTA; 7) VTA CAMM – Procurement: Solicitations, and: 8) Procurement.

Board Member Chavez expressed support and suggested VTA work with peer agencies to make the system more efficient for users. She also suggested VTA conduct a study of current system users to determine if the process has become more efficient. Staff responded VTA plans to conduct a survey to make the system more efficient and allow VTA to be more service oriented.

5.3.B. Metropolitan Transportation Commission (MTC) and California Transportation Commission (CTC) activities

Ms. Fernandez provided a brief report, highlighting

- Metropolitan Transportation Commission (MTC) did not meet in August, 2014.
- The California Transportation Commission (CTC) allocated the final installment of Traffic Congestion Relief Program (TCRP) funding allocated for VTA’s BART Silicon Valley Berryessa Extension Project (SVBX) on August 20, 2014. The Silicon Valley Leadership Group, together with VTA, hosted an event to celebrate this important milestone.
- The Federal Transit Administration awarded VTA \$150M of New Start funds for the Silicon Valley Berryessa Extension as part of the Full Funding Grant Agreement on August 20, 2014.

5.4. Chairperson's Report

There was no Chairperson's Report.

5.4.A. Levi's Stadium Program Committee Update

Chairperson Kalra provided a brief report from the August 27, 2014, meeting, noting: 1) received and reviewed transit service plan information from Levi's Stadium events held on August 2, August 17, and August 24 around the areas of intersection control, use of the pocket track and revisions to the queue lines for crowd egress; 2) staff reported improved service at each event based upon lessons learned and flexibility to meet unexpected crowd demand; 3) both vehicle traffic and transit operations showed major improvement at each event; 4) transit ridership for the events was near 20%; 5) customer feedback is overwhelmingly positive, and; 6) VTA will continue to be flexible and learn from each event.

Public Comment

Michael Ludwig, Interested Citizen, provided a handout, and noted: 1) additional postgame service is needed; 2) preventative maintenance is needed; and 3) pocket track contract promised completion by August 2, 2014.

5.4.B. Rename the Ad Hoc Governance Committee

Chairperson Kalra noted that the Board held a special meeting on August 15, 2014, to discuss the process for creating a potential ballot measure which addresses the transportation challenges in Silicon Valley.

Ms. Fernandez commented in September, 2014, VTA will be developing a multi-tiered public engagement strategy for community outreach. VTA has identified six stakeholder groups that will provide feedback: 1) VTA Board of Directors; 2) VTA Advisory Committees; 3) City and County Government Representatives; 4) General Manager Advisory Group; 5) Community Representatives, and 6) Regional State and Federal Partners. VTA will hold a community forum at the end of September for the Community Representatives Group. This will be led by Camille Williams, Accessible Services Program Manager.

Chairperson Kalra thanked the entire Board for their feedback. He noted the Ad Hoc Governance Committee created earlier this month will no longer work on the potential ballot measure. Staff will instead bring the creation of the Governance Committee through the process to establish it as a regular standing committee of the Board.

Chairperson Kalra stressed the need for the VTA Board of Directors to create an Ad Hoc Committee on Envisioning Silicon Valley for the purpose of guiding VTA through the process of creating of a potential ballot initiative. Chairperson Kalra recommended a six member committee

with the following membership: 1) Ash Kalra as Chairperson; 2) Perry Woodward; 3) Cindy Chavez; 4) Rich Larsen; 5) Jamie Matthews, and; 6) Jason Baker. This membership represents the different regions within VTA including the City of San Jose and County of Santa Clara.

Board Member Whittum noted his support.

Public Comment

The following interested citizens expressed support for VTA’s commitment to the inclusive planning process and creation of a potential tax ballot initiative, and noted the following: 1) support for stakeholder groups working together; 2) support for community working groups to assist in outreach and provide transparency; 3) highlighted the importance of building consensus; 4) suggested reaching out to transportation minded organizations such as TransForm and Silicon Valley Riders Union, and; 5) encouraged the use of open and transparent language when referring to taxes or fees.

- Bob Brownsten
- Helen Chapman, Shasta/Hanchett Park
- Chris Lepe
- Michael Ludwig
- Omar Chatty

M/S/C (Matthews/Woodward) to rename the “Ad Hoc Governance Committee,” to “Ad Hoc Committee on Envisioning Silicon Valley,” and approve the nominees as members of the Committee.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jaime Matthews, Alternate Board Member
SECONDER:	Perry Woodward, Vice Chairperson
AYES:	Campos, Chavez, Kalra, Matthews, Pirzynski, Rocha, Whittum, Woodward, Yeager
ABSENT:	Herrera, Khamis, Price

6. CONSENT AGENDA

6.1. Board of Directors Regular Meeting Minutes of August 7, 2014

M/S/C (Matthews/Pirzynski) to approve the Board of Directors Regular Meeting Minutes of August 7, 2014.

6.2. BPAC Reappointments

M/S/C (Matthews/Pirzynski) to ratify the appointments to the Bicycle & Pedestrian Advisory Committee for the two-year term ending June 30, 2016 of: (1) David Simons, representing the City of Sunnyvale; (2) Dale Schouten,

representing the City of Santa Clara; (3) Wes Brinsfield, representing the City of Los Altos; (4) Melanie Hanssen, representing the Town of Los Gatos; and (5) Corinne Winter, ex-officio member, and Colin Heyne, ex-officio alternate member, representing the Silicon Valley Bicycle Coalition

6.3. Annual Reserve Funds Transfers

M/S/C (Matthews/Pirzynski) to approve the allocation of \$2.803 million to the VTA Transit Fund Operating Reserve in order to maintain a reserve equal to 15% of the annual operating budget.

6.4. Facility Use Agreement Between the County of Santa Clara and VTA

M/S/C (Matthews/Pirzynski) to authorize the General Manager to execute a Facility Use Agreement between the County of Santa Clara and VTA for continued use of critical communications equipment at 2700 Carol Drive in San Jose for 10 years with two, five-year renewal options.

6.5. Bill Positions

M/S/C (Matthews/Pirzynski) to adopt a support position for AB 1193 (Ting), which provides cities and counties with more flexibility when it comes to design standards used to plan and construct bikeway facilities on local streets and roads. In addition, adopt a support position for SB 1368 (Wolk), which adds joint powers authorities and transit districts to the list of public agencies to which the California Transportation Commission (CTC) may relinquish park-and-ride lots owned and operated by Caltrans.

6.6. Santa Clara/Alum Rock Bus Rapid Transit Project – Amendment Between the City of San Jose and the Santa Clara Valley Transportation Authority for Engineering Support of Traffic Signals and Street Lights

M/S/C (Matthews/Pirzynski) to authorize the General Manager to execute an Amendment to perform additional Engineering Support for traffic signal and street light design for \$1,000,000 with the City of San Jose for the Santa Clara/Alum Rock Bus Rapid Transit Project for a new contract amount of \$1,580,000.

6.7. VTA's Extension of BART to Silicon Valley Project Construction Schedule Assessment

M/S/C (Matthews/Pirzynski) to review and receive the Auditor General's report on the VTA Extension of BART to Silicon Valley Project Construction Schedule Assessment.

6.8. VTA Procurement and Contracting Process Assessment

M/S/C (Matthews/Pirzynski) to review and receive the Auditor General's report on the VTA Procurement and Contracting Process Assessment.

6.9. Legislative Update Matrix

M/S/C (Matthews/Pirzynski) to review the Monthly Legislative Update Matrix.

6.10. Cap and Trade Funds for Transportation

M/S/C (Matthews/Pirzynski) to receive a report on Cap and Trade Funds for Transportation.

6.11. Proactive CMP Quarterly Report for April-June 2014

M/S/C (Matthews/Pirzynski) to receive the Proactive CMP Quarterly Report for April-June 2014.

6.12. Pedestrian Access to Transit Plan – Existing Conditions Report

M/S/C (Matthews/Pirzynski) to receive Existing Conditions Report for the Pedestrian Access to Transit Plan.

6.13. SR 237 Express Lanes Fiscal Year 2014 Update

M/S/C (Matthews/Pirzynski) to receive performance update on SR 237 Express Lanes for Fiscal Year 2014.

6.14. VTP Highway Program Semi-Annual Report Ending April 30, 2014

M/S/C (Matthews/Pirzynski) to receive the VTP Highway Program Semi-Annual Report Ending April 30, 2014.

6.15. Transit Capital Projects Semi-Annual Report Ending March 31, 2014

M/S/C (Matthews/Pirzynski) to receive the Transit Capital Projects Semi-Annual Report ending March 31, 2014.

7.1. Adopt the 2014 Short Range Transit Plan

M/S/C (Matthews/Pirzynski) to adopt the 2014 Short Range Transit Plan.

7.6. Passenger Safety Improvements Project Contract

M/S/C (Matthews/Pirzynski) to authorize the General Manager to execute a contract with Granite Rock Company, the lowest responsible bidder, in an amount of \$1,170,202 for the construction of the Passenger Safety Improvements Project.

7.7. Design Services for Light Rail Special Trackwork – Engineering Contract

M/S/C (Matthews/Pirzynski) to authorize the General Manager to execute a contract with Rail Surveyors and Engineers, Inc. to perform engineering design services for the Light Rail Special Trackwork contract. The contract shall be for a three-year period for a total value not to exceed \$1,200,000.

7.8. Mission Boulevard/Warren Avenue/Freight Railroad Relocation – Amendment to the RGW Construction, Inc. Construction Contract

M/S/C (Matthews/Pirzynski) to authorize the General Manager to amend the Mission Boulevard/Warren Avenue/Freight Railroad Relocation construction contract with RGW Construction, Inc. to accommodate scope additions in the amount of \$2,200,000 for a new contract amount of \$56,746,318.

7.9. Santa Clara/Alum Rock Bus Rapid Transit Project – Agreement Between the City of San Jose, the Santa Clara Valley Transportation Authority and Merge Conceptual Design, Inc. to Fabricate and Deliver Works of Art

M/S/C (Matthews/Pirzynski) to authorize the General Manager to execute an Agreement with the City of San Jose and Merge Conceptual Design, LLC for \$1,000,000 to finalize design, fabricate and deliver art elements for the Santa Clara/Alum Rock Bus Rapid Transit Project.

7.10. State Transportation Improvement Plan (STIP) Amendments

M/S/C (Matthews/Pirzynski) to approve State Transportation Improvement Program (STIP), Transportation Improvement Program (TIP) and Vehicle Registration Fee (VRF) program amendments that exchange funds between two Palo Alto and San Jose projects.

7.12. Amendment of Agreement for Reimbursement for Santa Clara Valley Water District's Costs for SVBX Project Support

M/S/C (Matthews/Pirzynski) to authorize the General Manager to negotiate and execute an amendment to the existing cooperative agreement with the Santa Clara Valley Water District (SCVWD) regarding the reimbursement of SCVWD's staff costs to assist VTA with design coordination, construction document development, and construction coordination in support of the BART Silicon Valley Berryessa Extension (SVBX) Project to increase the authorization by \$550,000, from an existing amount of \$1,723,000 to \$2,273,000.

7.13. Transit Assistance Program Annual Update

M/S/C (Matthews/Pirzynski) to receive update on first year of 2-year Transit Assistance Program (TAP), a low-income fare pilot program.

7. REGULAR AGENDA

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

Adopt the 2014 Short Range Transit Plan.

7.2. Minority and Women-Owned Business Enterprise Program

Sylvester Fadal, Deputy Director of Human Resources Diversity & Inclusion, and Civil Rights, provided a presentation entitled “Minority and Women-Owned Business Enterprise Program,” highlighting: 1) Today VTA has two main programs – Disadvantaged Business Enterprise (DBE) for federally funded projects and the Small Business Enterprise (SBE) for state funded projects; 2) Proposal; 3) Disparity Studies - Driving Factors; 4) Snapshot of Different Federal/State & and Local Programs, and; 5) Steps to doing business with VTA.

Public Comment

The following interested citizens expressed support for VTA’s Minority and Women-Owned Business Enterprise Program, and noted the following: 1) importance of deliberate community minority outreach; 2) the program will lead to greater equity in our community, a larger pool of bidders and constitutes an important investment in our local economy; 3) the program will encourage community partnerships and local preference, and; 4) the policy brings opportunities for family owned minority businesses.

- Reginald Swilley, Minority Business Consortium
- Bob Brownsten
- Tony Alexander
- Cathy Zhang, Sound of Hope Radio Network
- Neil Struthers
- Milan Balinton, African American Community Service Agency
- Josue Garcia
- Walter Wilson, Minority Business Consortium

Board Member Rocha requested periodic updates which include tracking and performance measures. He also suggested providing a report to one of the Standing Committees that lays out the issues for minority and women-owned businesses as well as the local preference policy.

Board Member Campos noted the aspirations should not have a ceiling and VTA should encourage minority and women-owned businesses to share their talents to build community.

Board Member Chavez noted VTA should look at how contracts are structured and what can be accomplished relative to construction contracts versus goods and services, and requested VTA consider an amendment to the language.

Chairperson Kalra thanked the City of Santa Clara for providing regional leadership for this program, and VTA staff for instituting the program.

M/S/C (Campos/Rocha) to adopt, as amended, the Minority and Women-Owned Business Enterprise Program (MWBE Program) in effort to increase minority and women-owned business participation for locally funded contracts and to ensure

that these businesses are afforded an equitable opportunity to compete. Further, provide periodic updates to a Standing Committee regarding program details and local preference policy.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Javier Campos, Board Member
SECONDER:	Donald Rocha, Board Member
AYES:	Campos, Chavez, Kalra, Matthews, Pirzynski, Rocha, Whittum, Woodward, Yeager
ABSENT:	Herrera, Khamis, Price

7.3. Approval of CalPERS Medical Resolutions for AFSCME and
7.4. Approval of CalPERS Medical Resolutions for Non-Represented Employees and Retirees

Chairperson Kalra noted that **Agenda Item #7.3.**, Approval of CalPERS Medical Resolutions for AFSCME, and **Agenda Item #7.4.**, Approval of CalPERS Medical Resolutions for Non-Represented Employees and Retirees, will be heard together.

Bill Lopez, Director of Business Services, provided a brief report noting the following: 1) the resolutions are verification that VTA has met the minimum standards; 2) the agreement represents a savings of approximately 1.35M for these two groups, and 3) it is our intent to transition all groups to CalPERS.

M/S/C (Chavez/Matthews) to adopt the following Resolutions for CalPERS Medical Plans for employees and retirees represented by American Federation of State, County, and Municipal Employees (AFSCME), Local 101, effective January 1, 2015:

1. AFSCME (CalPERS) Resolution.No. 2014.08.16
2. AFSCME Survivor Resolution (CalPERS) No. 2014.08.17 - for Surviving Spouses of AFSCME retirees.
3. AFSCME (non-CalPERS) Resolution No. 2014.08.18 - for AFSCME employees who do not have five years of CalPERS service time but qualify for retiree medical based on VTA/ATU retirement service and total VTA years of service.
4. AFSCME Survivor Resolution (non-CalPERS) No. 2014.08.19 - for Surviving Spouses of AFSCME employees who did not have five years of CalPERS service time but qualified for retiree medical based on VTA/ATU Pension retirement and total agency time.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Cindy Chavez, Board Member
SECONDER:	Jaime Matthews, Board Member
AYES:	Campos, Chavez, Kalra, Matthews, Pirzynski, Rocha, Whittum, Woodward, Yeager
ABSENT:	Herrera, Khamis, Price

7.4. Approval of CalPERS Medical Resolutions for Non-Represented Employees and Retirees

M/S/C (Chavez/Matthews) to adopt the following Resolutions for CalPERS Medical Plans for Non-Represented employees and retirees, effective January 1, 2015:

1. Non-Represented Resolution (CalPERS) No. 2014.08.20.
2. Non-Represented Survivor Resolution (CalPERS) No. 2014.08.21 - for Surviving Spouses of deceased Non-Represented retirees.
3. Non-Represented (non-CalPERS) Resolution No. 2014.08.22 - for Non-Represented retirees who do not have five years of CalPERS service time but qualify for retiree medical based on VTA/ATU Retirement service and total VTA years of service.
4. Non-Represented Survivor Resolution (non-CalPERS) No. 2014.08.23 - for Surviving Spouses of deceased Non-Represented retirees who did not have five years of CalPERS service time when they retired, but qualified for retiree medical based on VTA/ATU Retirement service and total VTA years of service.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Cindy Chavez, Board Member
SECONDER:	Jaime Matthews, Board Member
AYES:	Campos, Chavez, Kalra, Matthews, Pirzynski, Rocha, Whittum, Woodward, Yeager
ABSENT:	Herrera, Khamis, Price

7.5. Rescind ICMA Retirement Health Savings (RHS) Plan Agreements for AFSCME and Non-Represented Employees

Bill Lopez provided a brief report noting this is a companion measure to **Agenda Item #7.3.**, Approval of CalPERS Medical Resolutions for AFSCME, and **Agenda Item #7.4.**, Approval of CalPERS Medical Resolutions for Non-Represented Employees and Retirees.

M/S/C (Chavez/Matthews) to approve the following actions:

1. Rescind the ICMA Retirement Health Savings (RHS) Plan Number 803302 for Non-Represented employee groups who are converting to CalPERS Medical plans effective January 1, 2015. (Resolution No. 2012.01.09)
2. Rescind the ICMA Retirement Health Savings (RHS) Plan Number 803313 for employees represented by AFSMCE, Local 101, who are converting to CalPERS Medical plans, effective January 1, 2015. (Resolution No. 2012.01.10)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Cindy Chavez, Board Member
SECONDER:	Jaime Matthews, Board Member
AYES:	Campos, Chavez, Kalra, Matthews, Pirzynski, Rocha, Whittum, Woodward, Yeager
ABSENT:	Herrera, Khamis, Price

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

Authorize the General Manager to execute a contract with Granite Rock Company, the lowest responsible bidder, in an amount of \$1,170,202 for the construction of the Passenger Safety Improvements Project.

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

Authorize the General Manager to execute a contract with Rail Surveyors and Engineers, Inc. to perform engineering design services for the Light Rail Special Trackwork contract. The contract shall be for a three-year period for a total value not to exceed \$1,200,000.

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

Authorize the General Manager to amend the Mission Boulevard/Warren Avenue/Freight Railroad Relocation construction contract with RGW Construction, Inc. to accommodate scope additions in the amount of \$2,200,000 for a new contract amount of \$56,746,318.

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

Authorize the General Manager to execute an Agreement with the City of San Jose and Merge Conceptual Design, LLC for \$1,000,000 to finalize design, fabricate and deliver art elements for the Santa Clara/Alum Rock Bus Rapid Transit Project.

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

State Transportation Improvement Program (STIP), Transportation Improvement Program (TIP) and Vehicle Registration Fee (VRF) program amendments that exchange funds between two Palo Alto and San Jose projects.

7.11. Opportunities to Enhance the Relationship of Land Use and Transportation

Chairperson Kalra noted this item is a referral from the February 20, 2014, Congestion Management Program and Planning (CMPP) Committee after a robust discussion about regional collaboration between VTA and local agencies to improve the relationship on how local agencies implement best practices in integrating land use and transportation planning.

John Ristow, Director of Planning and Program Development, provided a presentation entitled “Local Agency and VTA Roles in Land Use and Transportation,” highlighting: 1) VTA Involvement in Land Use and Development; 2) Land Development and Entitlement Process; 3) VTA Involvement in Land Use and Development – Possible Changes to Improve Effectiveness.

Public Comment

Omar Chatty, Interested Citizen, commented on the opportunities to enhance the relationship between land use and transportation, and expressed support for BART around the Bay.

Mr. Ludwig expressed support for improving the relationship between land use and transportation planning.

Board Member Chavez expressed support and recommended the following: 1) VTA look at their communication plan; and 2) suggested VTA concurrently provide the Board of Directors and Member Agency staff with General Plan Update comments and recommendations.

Ms. Fernandez noted VTA will be doing outreach and present the recommendations to each of the Cities.

Board Member Whittum noted it would be helpful for VTA to work directly with city decision makers, allow them to view development proposals, and have access to VTA’s technical expertise. Staff noted VTA’s intention of becoming a technical resource for city staff.

Alternate Board Member Matthews noted the importance of not becoming an advocacy group, and encouraged a partnership with a comprehensive look at where people are moving and where the opportunity is for VTA to increase ridership.

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

Authorize the General Manager to negotiate and execute an amendment to the existing cooperative agreement with the Santa Clara Valley Water District (SCVWD) regarding the reimbursement of SCVWD's staff costs to assist VTA with design coordination, construction document development, and construction coordination in support of the BART Silicon Valley Berryessa Extension (SVBX) Project to increase the authorization by \$550,000, from an existing amount of \$1,723,000 to \$2,273,000.

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

Receive update on first year of 2-year Transit Assistance Program (TAP), a low-income fare pilot program.

8. OTHER ITEMS

8.1. ITEMS OF CONCERN AND REFERRAL TO ADMINISTRATION

There were no Items of Concern and Referral to Administration.

8.2. Reports from VTA Committees, Joint Powers Boards (JPB), and Regional Commissions.

8.2.A. VTA Standing Committees

- Silicon Valley Rapid Transit (SVRT) Program Committee – August 4, 2014 Minutes were accepted as contained in the Agenda Packet.
- Congestion Management Program and Planning (CMPP) Committee – There was no report.
- Administration and Finance Committee (A&F) – There was no report.
- Transit Planning and Operations Committee (TP&O) – There was no report.
- Audit Committee – There was no report.

8.2.B. VTA Advisory Committees

- Committee for Transit Accessibility (CTA) – There was no report.
- Citizens Advisory Committee (CAC) and 2000 Measure A Citizens Watchdog Committee (CWC) – August 13, 2014 Minutes were accepted as contained on the dais.
- Bicycle & Pedestrian Advisory Committee (BPAC) – There was no report.
- Technical Advisory Committee (TAC) – August 14, 2014 Minutes were accepted as contained on the dais.
- Policy Advisory Committee (PAC) – August 14, 2014 Minutes were accepted as contained on the dais.

8.2.C. VTA Policy Advisory Boards (PAB)

- Diridon Station Joint Policy Advisory Board – There was no report.
- Downtown East Valley PAB – There was no report.
- El Camino Real Rapid Transit PAB – There was no report.

8.2.D. Joint Powers Boards and Regional Commissions

- Peninsula Corridor JPB – There was no report.
- Capitol Corridor JPB – 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.
- SR 152 Mobility Partnership – There was no report.

8.3. ANNOUNCEMENTS

Board Member Whittum announced City of Sunnyvale, City Council Open House on September 9, 2014 at 5:30 p.m.

9. CLOSED SESSION

9.1. Recessed to Closed Session at 7:33 p.m.

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

VTA Designated Representatives:

Bill Lopez, Chief Administrative Officer
Robert L. Escobar, Deputy Director, Labor Relations
Ali Hudda, Acting Chief Financial Officer

Employee Organizations:

Amalgamated Transit Union, Local 265

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

Title: General Counsel

9.2. Reconvened to Open Session at 8:06 p.m.

9.3. Closed Session Report

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

VTA Designated Representatives:

Bill Lopez, Chief Administrative Officer
Robert L. Escobar, Deputy Director, Labor Relations
Ali Hudda, Acting Chief Financial Officer

Employee Organizations:

Amalgamated Transit Union, Local 265

Rob Fabela, General Counsel, reported that the Board of Directors directed VTA to mediate with ATU regarding the policy.

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

Title: General Counsel

Chairperson Kalra reported that no reportable action was taken during closed session.

10. ADJOURNMENT

On order of Chairperson Kalra and there being no objection, the meeting was adjourned at 8:06 p.m.

Respectfully submitted,

Anita McGraw, Board Assistant
VTA Office of the Board Secretary