

Administration & Finance Committee

Thursday, January 23, 2020

MINUTES

CALL TO ORDER

The Regular Meeting of the Administration and Finance Committee (A&F) was called to order at 12:08 p.m. by Chairperson Carr in Conference Room B-106, VTA River Oaks Campus, 3331 North First Street, San José, California.

1. ROLL CALL

Attendee Name	Title	Status
Marie Blankley	Alternate Member	N/A
Larry Carr	Chairperson	Present
Cindy Chavez	Member	Present
Dev Davis	Alternate Member	Absent
Glenn Hendricks	Vice Chairperson	Present
Sam Liccardo	Member	Absent
Teresa O'Neill	Alternate Member	N/A
Susan Ellenberg	Alternate Member	N/A

* A quorum was present.

2. PUBLIC COMMENT

There was no Public Comment.

3. ORDERS OF THE DAY

There were no Orders of the Day.

4. Determine the Committee Vice Chairperson for Calendar Year 2020

Chairperson Carr opened the floor for nominations.

Member Chavez nominated Member Hendricks as the Committee Vice Chairperson.

M/S/C (Chavez/Carr) to close the nominations and elect Glenn Hendricks as the Committee Vice Chairperson for 2020.

RESULT:	APPROVED- Agenda Item #4
MOVER:	Chavez
SECONDER:	Carr
AYES:	Carr, Chavez, Hendricks
NOES:	None
ABSENT:	Liccardo

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

CONSENT AGENDA

5. **Regular Meeting Minutes of November 21, 2019**

M/S/C (Hendricks/Chavez) to approve the Regular Meeting Minutes of November 21, 2019.

6. **2020 A&F Committee Meeting Schedule**

M/S/C (Hendricks/Chavez) to approve the 2020 Administration and Finance (A&F) Committee Meeting Schedule.

7. **Design Services Contract for Pedestrian Gates - RSE**

M/S/C (Hendricks/Chavez) to recommend that the VTA Board of Directors authorize the General Manager to execute a contract with Rail Surveyors and Engineers, Inc. to perform engineering design services for Pedestrian Gates at certain light rail crossings. The contract shall be for a three-year period for a total value not to exceed \$527,717.

8. **Cupertino-Funded On-Demand Community Shuttle Pilot Program**

M/S/C (Hendricks/Chavez) to recommend that the VTA Board of Directors authorize the General Manager to execute funding agreements with the City of Cupertino and the Bay Area Air Quality Management District (BAAQMD) to help the City fund the Cupertino On-Demand Community Shuttle Pilot Program using \$423,000 in Transportation Fund for Clean Air (TFCA) funds administered by the Bay Area Air Quality Management District.

9. **I-280/Foothill Expressway Ramp Improvement**

M/S/C (Hendricks/Chavez) to recommend that the VTA Board of Directors authorize the General Manager to execute a contract with the lowest responsive and responsible bidder for the construction of the I-280 Foothill Expressway Off-Ramp Improvement Project (Project).

10. **Annual Interest Rate Swap Report for Period Ending December 31, 2019**

M/S/C (Hendricks/Chavez) to receive and file the Annual Interest Rate Swap Report for Period Ending December 31, 2019.

11. **Monthly Investment Report – November 2019**

M/S/C (Hendricks/Chavez) to receive the Monthly Investment Report for November 2019.

12. **Quarterly Purchasing Report October 1 through December 31, 2019**

M/S/C (Hendricks/Chavez) to review the Quarterly Purchasing Report for October 1 through December 31, 2019.

RESULT:	APPROVED- Consent Agenda Items #5-#12
MOVER:	Hendricks
SECONDER:	Chavez
AYES:	Carr, Chavez, Hendricks
NOES:	None
ABSENT:	Liccardo

REGULAR AGENDA

13. 2019 Title VI Program and Results of the 2019 Monitoring Program

Jaye Bailey, EEO and Civil Rights Manager, provided a brief presentation on VTA’s Title VI Program.

Members of the Committee provided the following comments: 1) suggesting adding in the presentation more information on the findings; 2) inquired about the opportunities with the data gathered; and 3) implications of the information gathered as it relates to providing service and growing service.

M/S/C (Carr/Hendricks) to recommend that the Board adopt: (1) a resolution approving the results of VTA's 2019 Monitoring Program; and (2) a resolution approving VTA's 2019 Title VI Program.

RESULT:	APPROVED- Agenda Item #13
MOVER:	Carr
SECONDER:	Hendricks
AYES:	Carr, Chavez, Hendricks
NOES:	None
ABSENT:	Liccardo

14. Berrysessa Extension Project DB11002F (C700) Design-Build Contract, Contract Amendment

Dennis Ratcliffe, Director, SVRT/BART Capital Program, provided an overview of the staff report.

A brief discussion ensued about the scope of work for the contract amendment.

M/S/C (Chavez/Hendricks) to recommend that the VTA Board of Directors authorize the General Manager to amend construction Contract DB11002F (C700 SSH) Line, Track, Stations, and Systems (LTSS) with Skanska-Shimmick-Herzog Joint Venture, and its partial assignment contract DB11002F (C700 AR) with Aldrich/Rosendin JV by \$11,200,000 resulting in a combined total contract amount of \$932,486,050, and increasing the General Manager’s contract amendment authority provided by the VTA Administrative Code from 15% to 25% of this recommended amendment amount.

RESULT:	APPROVED- Agenda Item #14
MOVER:	Chavez
SECONDER:	Hendricks
AYES:	Carr, Chavez, Hendricks
NOES:	None
ABSENT:	Liccardo

15. Selection of a Developer for Cerone Transit-Oriented Development Negotiations

Ron Golem, Director of Real Estate & Joint Development and Josselyn Hazen, Associate Real Estate Agent, provided an overview of the staff report.

The following provided a brief presentation on their proposal: 1) Ben Kochalski, TMG; and 2) Matt Howell, Lincoln Property Company.

Members of the Committee and staff engaged in a robust discussion regarding opportunities for attracting jobs, goals and metrics for the project, housing and job balance, enhancing transit connections, how the project will grow ridership, and the project's environmental elements.

Members of the Committee offered the following suggestions: 1) consider a parking structure that can integrate with the main building; and 2) consider having a city representative when presenting future development projects.

Public Comment

Roland Lebrun, Interested Citizen, noted he agrees with the staff recommendation. He suggested allocating a portion of the revenues from this project to affordable housing for VTA employees.

M/S/C (Hendricks/Chavez) to recommend, as amended, that the VTA Board of Directors authorize the General Manager to enter into an Exclusive Negotiations Agreement (ENA) with Lincoln Property Company for a term of twelve (12) months for negotiation of the proposed terms and conditions of a Lease Option Agreement (LOA) for a Transit-Oriented Development project at the Cerone property. If agreement cannot be reached with Lincoln Property Company during the ENA term, authorize the General Manager to enter into an ENA with TMG Partners. Further, the Committee requested a Closed Session at a future Board Meeting to review proposal terms and conditions prior to negotiations.

RESULT:	AMMENDED- Agenda Item #15
MOVER:	Hendricks
SECONDER:	Chavez
AYES:	Carr, Chavez, Hendricks
NOES:	None
ABSENT:	Liccardo

16. Silicon Valley Express Lanes Program – US 101 Phase 5

Gene Gonzalo, Engineering Group Manager for Capital Programs, provided an overview of the staff report.

A Member of the Committee inquired about success criteria for the project and how the project fits in VTA's overall congestion management strategy.

M/S/C (Chavez/Carr) to recommend that the VTA Board of Directors authorize the General Manager to execute a cost plus fixed fee contract with AECOM Technical Services, Inc. to perform the Final Design and Right-of-Way (ROW) Engineering Services for the US 101 Express Lanes Phase 5 Project (Phase 5 Project) for the amount of \$8,730,811.

RESULT:	APPROVED- Agenda Item #16
MOVER:	Chavez
SECONDER:	Carr
AYES:	Carr, Chavez, Hendricks
NOES:	None
ABSENT:	Liccardo

17. Express Bus Partnership Program Service Plan

Janice Soriano, Senior Transportation Planner, provided a presentation on the Express Bus Partnership Program and Vanpool Subsidy Pilot Program.

Member Chavez left the meeting at 1:40 p.m., the quorum was lost, and a Committee of the Whole was declared.

A brief discussion ensued about public outreach for the Vanpool Pilot Program. Members of the Committee provided the following suggestions: highlight cost and productivity of express bus, develop success criteria for the Vanpool Pilot Program, encourage Metropolitan Transportation Commission (MTC) to define environmental elements in the Vanpool Program that includes incentives for using lower emission vehicles.

Public Comment

Mr. Lebrun commented Bus Route 168 should be changed and offered an alternate route.

On order of Chairperson Carr, the Committee of the Whole reviewed the Express Bus Partnership Program and a new pilot Vanpool Subsidy Program for implementation in April 2020.

OTHER ITEMS

18. Items of Concern and Referral to Administration

There were no Items of Concern and Referral to Administration.

19. Committee Work Plan

On order of Chairperson Carr and there being no objection, the Committee accepted the Committee Work Plan.

20. Committee Staff Report

There was no Committee Staff report.

21. **Chairperson's Report**

There was no Chairperson's Report.

22. **Determine Consent Agenda for the February 6, 2020 Board of Directors Meeting**

CONSENT:

Agenda Item #7. Recommend that the VTA Board of Directors authorize the General Manager to execute a contract with Rail Surveyors and Engineers, Inc. to perform engineering design services for Pedestrian Gates at certain light rail crossings. The contract shall be for a three-year period for a total value not to exceed \$527,717.

Agenda Item #8. Recommend that the VTA Board of Directors authorize the General Manager to execute funding agreements with the City of Cupertino and the Bay Area Air Quality Management District (BAAQMD) to help the City fund the Cupertino On-Demand Community Shuttle Pilot Program using \$423,000 in Transportation Fund for Clean Air (TFCA) funds administered by the Bay Area Air Quality Management District.

Agenda Item #9. Recommend that the VTA Board of Directors authorize the General Manager to execute a contract with the lowest responsive and responsible bidder for the construction of the I-280 Foothill Expressway Off-Ramp Improvement Project (Project).

Agenda Item #16. Recommend that the VTA Board of Directors authorize the General Manager to execute a cost plus fixed fee contract with AECOM Technical Services, Inc. to perform the Final Design and Right-of-Way (ROW) Engineering Services for the US 101 Express Lanes Phase 5 Project (Phase 5 Project) for the amount of \$8,730,811.

REGULAR:

Agenda Item #13. Recommend that the Board adopt: (1) a resolution approving the results of VTA's 2019 Monitoring Program; and (2) a resolution approving VTA's 2019 Title VI Program.

Agenda Item #14. Recommend that the VTA Board of Directors authorize the General Manager to amend construction Contract DB11002F (C700 SSH) Line, Track, Stations, and Systems (LTSS) with Skanska-Shimmick-Herzog Joint Venture, and its partial assignment contract DB11002F (C700 AR) with Aldrich/Rosendin JV by \$11,200,000 resulting in a combined total contract amount of \$932,486,050, and increasing the General Manager's contract amendment authority provided by the VTA Administrative Code from 15% to 25% of this recommended amendment amount.

Agenda Item #15. Recommend, as amended, that the VTA Board of Directors authorize the General Manager to enter into an Exclusive Negotiations Agreement (ENA) with Lincoln Property Company for a term of twelve (12) months for negotiation of the proposed terms and conditions of a Lease Option Agreement (LOA) for a Transit-Oriented Development project at the Cerone property. If agreement cannot be reached with Lincoln Property Company during the ENA term, authorize the General Manager to enter into an ENA with TMG Partners. Further, the committee requested a Closed Session at a future Board Meeting to review proposal terms and conditions prior to negotiations.

Agenda Item #17. Recommend that the VTA Board of Directors adopt a new Express Bus Partnership Program and a new pilot Vanpool Subsidy Program for implementation in April 2020.

23. ANNOUNCEMENTS

Nuria I. Fernandez, General Manager/CEO, announced the VTA Board Workshop will be held on Friday, January 24, 2020, at 9 a.m. in the VTA Auditorium.

24. ADJOURNMENT

On order of Chairperson Carr and there being no objection, the meeting adjourned at 1:59 p.m.

Respectfully submitted,

Audrey Amort, Board Assistant
VTA Office of the Board Secretary