

BOARD OF DIRECTORS MEETING

Thursday, March 5, 2020

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 Chavez at 5:37 p.m. in the Board of Supervisors' Chambers, County Government Center, 70 West Hedding Street, San José, California.

1.1. Administer Oath of Office

Elaine Baltao, VTA Board Secretary, administered the Oath of Office to Board Member Bob Nuñez, representing the City of Milpitas, Group 5 – Northeast Cities, and Alternate Board Member Liz Kniss, representing the City of Palo Alto, Group 2 – Northwest Cities.

1.2. ROLL CALL

Attendee Name	Title	Status
Marie Blankley	Alternate Board Member	Absent
Jeannie Bruins	Ex-Officio Member	Present
Larry Carr	Board Member	Present
Magdalena Carrasco	Board Member	Present
Cindy Chavez	Chairperson	Present
David Cortese	Board Member	Absent
Dev Davis	Alternate Board Member	Absent
Lan Diep	Board Member	Present
Susan Ellenberg	Alternate Board Member	Absent
Glenn Hendricks	Vice Chairperson	Present
Charles "Chappie" Jones	Board Member	Present
Liz Kniss	Alternate Board Member	Present
Sam Liccardo	Board Member	Present
John McAlister	Board Member	Present
Howard Miller	Alternate Board Member	Present
Bob Nuñez	Board Member	Present
Teresa O'Neill	Alternate Board Member	Absent
Raul Peralez	Board Member	Present
Rob Rennie	Board Member	Present

* Alternates do not serve unless participating as a Member.

A quorum was present.

1.3. Pledge of Allegiance

The Pledge of Allegiance commenced.

1.3. Orders of the Day

There were no Orders of the Day.

2. AWARDS AND COMMENDATION

2.1 2019 Employees of the Year

The Board recognized Tracene Crenshaw, Assistant Board Secretary and Jamaine Gibson, Coach Operator at North Yard Operations, as the Employees of the Year for 2019. Jamaine Gibson was unable to attend the meeting.

2.2 Resolution of Appreciation for Outgoing VTA Board Member Richard Tran

Former VTA Board Member Richard Tran was not able to attend.

On order of Chairperson Chavez and there being no objection, the resolution of appreciation for outgoing VTA Board Member Richard Tran was deferred to a future meeting.

3. PUBLIC COMMENT

Andrew Khan, Interested Citizen, made the following comments: 1) thanked the Board and VTA staff for expanding Bus Route 60 service along Lundy Street; and 2) commented on delayed opening of BART.

Board Member Diep arrived and took his seat at 5:50 pm
Board Member Carrasco arrived and took her seat at 5:55 p.m.

The following Interested Citizens thanked the Board for declaring a Climate Emergency last month and urged the Board to convene study sessions before the VTA Youth Summit on April 1, 2020, to explore options on how VTA can lead in combatting the climate crisis:

- Monica Mallon
- Daniel Huynh
- Jamie Minden
- Carolyn Villa
- Jessica Matthew
- Judy Young
- Eugene Bradley
- Hoai-an Truong
- Susan Butler-Graham
- Paul Cameron

Kevin Kittalia, Interested Citizen, commented on the New Transit Service Plan implemented in December 2019.

Marcia Cohen Zakai, Interested Citizen, commented on the health hazards caused by the coronavirus and safety hazards on the station platforms.

Paul Cameron, Interested Citizen, commented on Bus Route 65.

Scott Largent, Interested Citizen, expressed concern on the following: 1) lack of mental health support; and 2) lack of cleanliness in Downtown San Jose and St. James park.

Eugene Bradley, Interested Citizen, commented on increasing bus and light rail services during weekends.

Blair Beekman, Interested Citizen, commented on being open to ideas and questions on California High Speed Rail (CHSR) and BART extension rail service.

Roland Lebrun, Interested Citizen, made the following comments: 1) commended on-time transfers between VTA's Blue and Green Lines; 2) Google navigation is not in synch with VTA's timepoint between transfers; 3) BART transit service not a viable alternative between south San Jose and San Francisco, and Line 181 connection to San Francisco.

4. PUBLIC HEARINGS

There were no public hearings.

5. COMMITTEE REPORTS

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

Marty Schuler, Citizens Advisory Committee (CAC) Chairperson, provided a brief report on the items discussed at the February 12, 2020 CAC meeting.

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

There was no Policy Advisory Committee (PAC) Chairperson's Report.

5.3. Standing Committee Chairpersons' Report

Chairperson Chavez provided the Governance and Audit (G&A) Committee Chairperson's Report on the items discussed at March 5, 2020, meeting.

5.4. Policy Advisory Board Chairpersons' Report

There was no Policy Advisory Board (PAB) Chairperson report.

6. CONSENT AGENDA

ADMINISTRATION AND FINANCE (A&F) COMMITTEE

Board Member Liccardo noted his recusal on **Agenda Item #6.2.**, SR 17 Corridor Congestion Relief Project and **Agenda Item #6.3.**, SR 237/Middlefield Road Interchange Improvement.

Members of the Board referenced **Agenda Item #6.2.**, SR 17 Corridor Congestion Relief Project, and asked for explanation of line item “Advanced Transportation Technology” and the possibility of a pilot program to share information with other agencies.

Public Comment

Mr. Beekman referenced **Agenda Item #6.8.**, Unapproved Minutes/Summary Reports from VTA Committees, Joint Powers Boards (JPB), and Regional Commissions and commented on the unapproved minutes.

6.1. Declaration of Surplus Land for Vasona LRT Surplus Property

M/S/C (Hendricks/Carr) on a vote of 10 ayes to 1 no to declare, pursuant to the requirements of the California Surplus Lands Act, approximately 6,871 square feet of Santa Clara Valley Transportation Authority (VTA) Parcel B4202 as shown on Attachment A, to be surplus property based on the finding that it is not needed for VTA’s operation of the Vasona light-rail extension or any other VTA activities, and authorize the General Manager to sell the property pursuant to the requirements of the Surplus Land Act. Board Member McAlister opposed.

6.2. SR 17 Corridor Congestion Relief Project

M/S/C (Hendricks/Carr) on a vote of 10 ayes to 0 noes to 1 recusal to authorize the General Manager to execute a cost plus fixed fee contract with Jacobs Engineering Group Inc. to perform alternatives analysis and preliminary engineering services for the Project Initiation Document (“PID”) phase of the SR 17 Corridor Congestion Relief Project for the amount of \$544,436. Board Member Liccardo recused.

6.3. SR 237/Middlefield Road Interchange Improvement

M/S/C (Hendricks/Carr) on a vote of 10 ayes to 0 noes to 1 recusal to authorize the General Manager to execute a cost plus fixed fee contract with WSP to perform Engineering Services for the Project Approval and Environmental Document (“PA/ED”) phase of the State Route (“SR”) 237 and Middlefield Road Interchange Improvement Project (“Project”) in the amount of \$989,366. Board Member Liccardo recused.

CONGESTION MANAGEMENT PROGRAM & PLANNING (CMPP) COMMITTEE

There were no items submitted for the Consent Agenda from the Congestion Management Program and Planning Committee.

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 and Operations Committee.

GOVERNANCE AND AUDIT (G&A) COMMITTEE

6.4 BART Silicon Valley Project – Phase I Invoicing Audit

M/S/C (Hendricks/Carr) to review and receive the Auditor General's report on the BART Invoicing Audit.

6.5 General Liability and Workers' Compensation Claim Payments and Settlements for Second Quarter Fiscal Year 2020

M/S/C (Hendricks/Carr) to receive the Second Quarter Fiscal Year 2020 general liability and workers' compensation report for settled claims and payments made.

BOARD OF DIRECTORS

6.6 Board of Directors Regular Meeting Minutes of February 6, 2020

M/S/C (Hendricks/Carr) to approve Board of Directors Regular Meeting Minutes of February 6, 2020.

6.7 2020 Revised Appointments to Board Standing Committees, Joint Powers Boards, and Policy Advisory Boards

M/S/C (Hendricks/Carr) to approve 2020 Revised Appointments to Board Standing Committees, Joint Powers Boards, and Policy Advisory Boards.

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

M/S/C (Hendricks/Carr) to receive Unapproved Minutes/Summary Reports from VTA Committees, Joint Powers Boards (JPB), and Regional Commissions.

RESULT: APPROVED – Consent Agenda Item #6.1
MOVER: Hendricks, Vice Chairperson
SECONDER: Carr, Board Member
AYES: Carr, Carrasco, Chavez, Diep, Hendricks, Jones, Liccardo, Nuñez, Peralez, Rennie
NOES: McAlister
ABSENT: Cortese

RESULT: APPROVED – Consent Agenda Items #6.2 – #6.3
MOVER: Hendricks, Vice Chairperson
SECONDER: Carr, Board Member
AYES: Carr, Carrasco, Chavez, Diep, Hendricks, Jones, McAlister, Nuñez, Peralez, Rennie
NOES: None
RECUSED: Liccardo
ABSENT: Cortese

RESULT: APPROVED – Unanimously- Consent Agenda Items #6.4 – #6.8
MOVER: Hendricks, Vice Chairperson
SECONDER: Carr, Board Member
AYES: Carr, Carrasco, Chavez, Diep, Hendricks, Jones, Liccardo, McAlister, Nuñez, Peralez, Rennie
NOES: None
ABSENT: Cortese

7. REGULAR AGENDA

7.1 Silicon Valley Rapid Transit (SVRT) Program Update

Takis Salpeas, BART Silicon Valley Extension Project Chief; Krishna Davey, Deputy Director, SVRT/BART Project Controls; and Jorge Martinez, Consultant, VTA BART Silicon Valley Berryessa Extension (Phase I), provided an update on the Silicon Valley Rapid Transit (SVRT) Program.

Public Comment

Mr. Kittalia expressed opposition to BART to San Jose.

Mr. Lebrun commented on the need for aging report and his concern on Professional Services costs.

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

ADMINISTRATION AND FINANCE (A&F) COMMITTEE

7.2 Fiscal Year 2020 Statement of Revenues and Expenses for the Period Ending December 31, 2019

Board Member Carr introduced Agenda Item # 7.2., Fiscal Year 2020 Statement of Revenues and Expenses for the Period Ending December 31, 2019.

Franklin Wong, Deputy Director of Finance, Budget & Program Management, provided an overview of the staff report entitled “Fiscal Year 2020 Statement of Revenues and Expenses for the Period Ending December 31, 2019.”

Vice Chairperson Hendricks asked staff to keep track of the Service Transit Assistance (STA), the Federal and the State Operating Grants due to their large negative variances.

M/S/C (Peralez/Hendricks) to review and receive Fiscal Year 2020 Statement of Revenues and Expenses for the Period Ending December 31, 2019.

RESULT:	APPROVED – Agenda Item #7.2
MOVER:	Peralez, Board Member
SECONDER:	Hendricks, Vice Chairperson
AYES:	Carr, Carrasco, Chavez, Diep, Hendricks, Jones, Liccardo, McAlister, Nuñez, Peralez, Rennie,
NOES:	None
ABSENT:	Cortese

CONGESTION MANAGEMENT PROGRAM & PLANNING (CMPP) COMMITTEE

There were no items submitted for the Regular Agenda from the Congestion Management and Planning Committee.

GOVERNANCE AND AUDIT (G&A) COMMITTEE

There were no items submitted for the Regular Agenda from the Governance and Audit (G&A) Committee

A&F, CMPP, SSTP&O

There were no items submitted for the Regular Agenda from the Administration & Finance (A&F), Congestion Management Program & Planning (CMPP), and Safety, Security, and Transit Planning & Operations (SSTP&O).

BOARD OF DIRECTORS

7.3 Contract with Sheriff for Supplemental Law Enforcement Support Services

Evelynn Tran, VTA General Counsel, announced that Chairperson Chavez serves on the Santa Clara County Board of Supervisors and on the VTA Board of Directors and under Government Code Section 1091.5(a)(9) has non-interest on this item.

Members of the Board and staff engaged in a brief discussion regarding jurisdiction, and law enforcement response.

Board Member McAlister left his seat at 6:55 p.m.

Public Comment

Mr. Beekman commented on surveillance policies.

Mr. Lorgent expressed support for extending the sheriff contract and commented on providing training to law officers and its jurisdiction relating to St. James Park security and safety.

Board Member McAlister returned to his seat at 7:03 p.m.

Board Member Diep left his seat at 7:09 p.m.

M/S/C (Hendricks/Peralez) to authorize the General Manager/CEO to execute a contract with the County of Santa Clara - Office of the Sheriff for supplemental law enforcement support services for certain VTA properties and service areas for a base contract period of two (2) years, from April 1, 2020 through March 31, 2022, and a base contract amount of \$25,160,878; with four (4) additional option periods to extend the contract through June 30, 2026, for a total contract amount not to exceed \$84,066,266.

RESULT:	APPROVED – Agenda Item #7.2
MOVER:	Hendricks, Vice Chairperson
SECONDER:	Peralez, Board Member
AYES:	Carr, Carrasco, Chavez, Cortese, Hendricks, Jones, Liccardo, McAlister, Nunez, Peralez, Rennie
NOES:	None
ABSENT:	Cortese, Diep

8. OTHER ITEMS

8.1. General Manager Report

Raj Srinath, Deputy General Manager/CFO, provided report, highlighting the following: 1) VTA is continuing to closely monitor COVID-19, noting the safety and health of its employees and riders is the utmost importance; 2) VTA won first

place on the American Public Transportation Association's AdWheel Award for Best Special Event to Highlight Transit Needs category; 3) February 2020 Black History Month Celebration event and upcoming events in March 2020.

Board Member Peralez left his seat at 7:14 p.m.

Angelique Gaeta, Chief of System Safety & Security, and Heidi Samuels, Deputy Director, Transit Operations – Bus, reported on the safety measures VTA is undertaking to respond to COVID-19.

Brandi Childress, Media & Public Affairs Manager, noted that recorded messages are played on buses and light rail vehicles emphasizing the importance of taking precautions against COVID-19. She added that the same information is shared with other agencies consistent with the Centers for Disease Control and Prevention (CDC) guidelines.

Board Members and staff discussed the frequency of sanitizing bus and light rail vehicles and the availability of disinfectant items.

Board Member Peralez returned to his seat at 7:32 p.m.
Vice Chairperson Hendricks left his seat at 7:32 p.m.
Board Member Diep returned to his seat at 7:33 p.m.

Ms. Childress also provided a report on VTA's Automated Service Alerts.

Marie Guillory-Jones, Human Resources Manager, reported on the process of expediting the hiring of bus operators and increasing the amount of bus operators training classes.

Public Comment

Mr. Bradley commented on the hiring of bus operators, cleanliness of the buses especially for the health protection of homeless people who ride the buses for longer periods.

Mr. Roland commented on coughing at other passengers.

Mr. Srinath noted that the ridership and security stats were in the Board Members' reading folders and in the public binder.

8.1.A. Government Affairs Update

Jim Lawson provided the Government Affairs update, highlighting Assembly Bills (AB) 1350, AB 2012, AB 2176, AB 2057 on Fare Proposals, and Senate Bill (SB) 797 on Caltrain Sales Tax.

Chairperson Chavez left her seat 7:43 p.m.

Staff and Members of the Board discussed fare proposals suggested by the Assembly Bills, the demographic source of youth users of public transportation, and the new culture of ridership.

Public Comment

Mr. Lebrun commented on funding that SB 797 would bring to transit.

Adina Levin, Interested Citizen, commented on SB 797- Caltrain Sales Tax ballot, and increasing ridership.

Chairperson Chavez returned to her seat at 7:55 p.m.

Ms. Mallon suggested integrating VTA transit schedule with other transit operators.

8.2. Chairperson's Report

Chairperson Chavez invited everyone to participate in the 2020 Census as it carries a huge impact on funding agencies like VTA. She acknowledged Tran Minh Tien Le, winner of the poster contest hosted by VTA and the City of San Jose Office of Cultural Affairs.

8.3. ITEMS OF CONCERN AND REFERRAL TO ADMINISTRATION

Chairperson Chavez requested staff to meet with Alliance for Girls to discuss safe use of public transportation and engage the students and community in defining a framework to resolve climate change.

Board Member Carrasco requested more information on demographics of youth riders.

Board Member Carr requested information on the law enforcement jurisdiction for the Caltrain park-and-ride.

Board Member Peralez requested information on Professional Services cost, jurisdiction of light rail platforms, and VTA Working Group meeting.

Board Member Rennie requested that staff be assigned to the VTA Youth summit.

Board Member McAlister requested information on accessing VTA policies on the website.

8.4. Announcements

There were no Announcements.

9. CLOSED SESSION

Board Members Liccardo and Diep recused on Closed Session 9.1.A. and left the meeting.

9.1. Recessed to Closed Session at 8:12 p.m.

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

Property: Portion of Cerone Division, 3990 Zanker Road, San Jose, CA
(APN:097-04-020, 097-04-037)

Agency Negotiators: Ron Golem, Director of Real Estate & Transit-Oriented Development; Josselyn Hazen, Associate Real Estate Agent, TOD

Negotiating Parties: David Binswanger, Senior Executive Vice President, Lincoln Property Company (LPC) West; Brandon Wang, Executive Vice President, LPC West

Under Negotiation: Terms and conditions for proposed Cerone Transit-Oriented Development project

9.2. Reconvened to Open Session at 8:39 p.m.

9.3. Closed Session Report

Evelynn Tran, General Counsel, noted that Board Members Diep and Liccardo recused themselves from Agenda Item #9. Closed Session.

- A. Conference with Real Property Negotiators
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Negotiating Parties: David Binswanger, Senior Executive Vice President, Lincoln Property Company (LPC) West; Brandon Wang, Executive Vice President, LPC West

Under Negotiation: Terms and conditions for proposed Cerone Transit-Oriented Development project

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

10. ADJOURNMENT

On order of Chairperson Chavez and there being no objection, the meeting was adjourned at 8:39 p.m.

Respectfully submitted,

Reyne Jimeno, Board Assistant
VTA Office of the Board Secretary