

BOARD OF DIRECTORS MEETING

Thursday, October 5, 2017

5:30 PM

Board of Supervisors' Chambers

County Government Center
70 West Hedding Street
San Jose, CA 95110

AGENDA

To help you better understand, follow, and participate in the meeting, the following information is provided:


- Persons wishing to address the Board of Directors on any item on the agenda or not on the agenda are requested to complete a blue card located at the public information table and hand it to the Board Secretary staff prior to the meeting or **before the item is heard**.
- Speakers will be called to address the Board when their agenda item(s) arise during the meeting and are asked to limit their comments to 2 minutes. The amount of time allocated to speakers may vary at the Chairperson's discretion depending on the number of speakers and length of the agenda. **If presenting handout materials, please provide 25 copies to the Board Secretary for distribution to the Board of Directors.**
- The Consent Agenda items may be voted on in one motion at the beginning of the meeting. The Board may also move regular agenda items on the consent agenda during Orders of the Day. If you wish to discuss any of these items, please request the item be removed from the Consent Agenda by notifying the Board Secretary staff or completing a blue card at the public information table prior to the meeting or prior to the Consent Agenda being heard.

- Disclosure of Campaign Contributions to Board Members (Government Code Section 84308)

In accordance with Government Code Section 84308, no VTA Board Member shall accept, solicit, or direct a contribution of more than \$250 from any party, or his or her agent, or from any participant, or his or her agent, while a proceeding involving a license, permit, or other entitlement for use is pending before the agency. Any Board Member who has received a contribution within the preceding 12 months in an amount of more than \$250 from a party or from any agent or participant shall disclose that fact on the record of the proceeding and shall not make, participate in making, or in any way attempt to use his or her official position to influence the decision.

A party to a proceeding before VTA shall disclose on the record of the proceeding any contribution in an amount of more than \$250 made within the preceding 12 months by the party, or his or her agent, to any Board Member. No party, or his or her agent, shall make a contribution of more than \$250 to any Board Member during the proceeding and for three months following the date a final decision is rendered by the agency in the proceeding. The foregoing statements are limited in their entirety by the provisions of Section 84308 and parties are urged to consult with their own legal counsel regarding the requirements of the law.

- All reports for items on the open meeting agenda are available for review in the Board Secretary's Office, 3331 North First Street, San Jose, California, (408) 321-5680, the Monday, Tuesday, and Wednesday prior to the meeting. This information is available on our website, www.vta.org, and also at the meeting. Any document distributed less than 72-hours prior to the meeting will also be made available to the public at the time of distribution. Copies of items provided by members of the public at the meeting will be made available following the meeting upon request.

In accordance with the Americans with Disabilities Act (ADA) and Title VI of the Civil Rights Act of 1964, VTA will make reasonable arrangements to ensure meaningful access to its meetings for persons who have disabilities and for persons with limited English proficiency who need translation and interpretation services. Individuals requiring ADA accommodations should notify the Board Secretary's Office at least 48-hours prior to the meeting. Individuals requiring language assistance should notify the Board Secretary's Office at least 72-hours prior to the meeting. The Board Secretary may be contacted at (408) 321-5680 or *e-mail: board.secretary@vta.org or (408) 321-2330 (TTY only). VTA's home page is on the web at: www.vta.org or visit us on  Facebook at: www.facebook.com/scvta. (408) 321-2300: 中文 / Español / 日本語 / 한국어 / tiếng Việt / Tagalog.

**NOTE: THE BOARD OF DIRECTORS MAY ACCEPT, REJECT OR MODIFY
ANY ACTION RECOMMENDED ON THIS AGENDA.**

[70 West Hedding St.](#), San Jose, California is served by bus lines *61, 62, 66, 181, and Light Rail. (*61 Southbound last trip is at 8:55 pm for this location.)

For trip planning information, contact our Customer Service Department at (408) 321-2300 between the hours of 6:00 a.m. to 7:00 p.m. Monday through Friday and 7:30 a.m. to 4:00 p.m. on Saturday. Schedule information is also available on our website, www.vta.org.

1. CALL TO ORDER AND ROLL CALL

- 1.1. ROLL CALL
- 1.2. Orders of the Day

2. AWARDS AND COMMENDATION

- 2.1. INFORMATION ITEM - Recognize Vinla Daryani, Management Aide, Operations Analysis, Reporting & Systems; Gagandeep Singh, Transit Radio Dispatcher, Operations Control Center; Victor Oseguera, Electro-Mechanic, Light Rail Vehicle Maintenance; as Employees of the Fourth (4th) Quarter of 2017; Lucas Perez, Customer Service Supervisor, and Naunihal Singh, Assistant Superintendent, Service Management; as our Supervisors of the Third (3rd) and Fourth (4th) Quarters of 2017.
- 2.2. ACTION ITEM - Adopt a Resolution of Commendation for Senator Jim Beall for his work on Senate Bill (SB) 1.

3. PUBLIC COMMENT

This portion of the meeting is reserved for persons desiring to address the Board of Directors on any item within the Board's jurisdiction. Speakers are **limited to 2 minutes**. The law does not permit Board action or extended discussion of any item not on the agenda except under special circumstances. If Board action is requested, the matter can be placed on a subsequent agenda. All statements that require a response will be referred to staff for reply in writing.

4. PUBLIC HEARINGS

There are no public hearings.

5. COMMITTEE REPORTS

- 5.1. Citizens Advisory Committee (CAC) Chairperson's Report. (Verbal Report) (Wadler)
- 5.2. Policy Advisory Committee (PAC) Chairperson's Report. (Verbal Report) (Miller)
- 5.3. Policy Advisory Board Chairpersons' Report. (Verbal Report)

6. CONSENT AGENDA

- 6.1. ACTION ITEM - Approve the Board of Directors Workshop Meeting Minutes of August 25, 2017.

- 6.2.** ACTION ITEM - Approve the Board of Directors Regular Meeting Minutes of September 7, 2017.
- 6.3.** ACTION ITEM - 1) Adopt a Resolution, establishing the 2016 Measure B Program; and 2) adopt the 2016 Measure B Program Category Guidelines. (*Deferred from the June 1, 2017, VTA Board of Directors' meeting.*)
- 6.4.** ACTION ITEM - Authorize the General Manager to execute a two year firm fixed price contract with Toshiba International Corporation in the amount of \$847,743 to procure various parts to be used in the Toshiba Heating, Ventilation and Air Conditioner (HVAC) units for VTA's light rail vehicles.
- 6.5.** ACTION ITEM - Authorize the General Manager to procure up to 64 Class D Braun Entervan minivans in the amount up to \$3,096,104 for Paratransit services using the State of California purchasing contract for Paratransit vehicles and associated equipment and services.
- 6.6.** ACTION ITEM - Authorize the General Manager to amend the base Berryessa Station Campus Area and Roadways (C742) Contract (15002F) with Graniterock Company (GRC) in the amount up to \$3,000,000 resulting in a new total authorized contract amount of \$33,273,671.
- 6.7.** ACTION ITEM - Authorize the General Manager to execute a task ordered contract amendment with Aldea Services, Inc. for an amount not to exceed \$422,540 for a total agreement amount not to exceed \$985,156. This amendment would finalize the risk register, with high-level mitigation measures, that was developed for the Phase II Tunneling Comparative Analysis Risk Assessment, and continue support in the risk assessment of underground structures in preparation for entry into the Federal Transit Administration's New Starts Capital Investment Grant Program's Engineering Phase. This amendment would extend Aldea's contract through December 2018.
- 6.8.** ACTION ITEM - Adopt the Pedestrian Access to Transit Plan.
- 6.9.** ACTION ITEM - Adopt the Interagency Agreements Policy.
- 6.10.** ACTION ITEM - Review and receive the Auditor General's report on the Inventory Management and Costing Assessment.
- 6.11.** INFORMATION ITEM - Review and receive the scope of work for Annual Financial Audit Services for Fiscal Year 2017.
- 6.12.** INFORMATION ITEM - Receive the 2000 Measure A Transit Improvement Program Semi-Annual Report Ending June 30, 2017.

- 6.13. INFORMATION ITEM - Receive the Valley Transportation Plan (VTP) Highway Program Semi-Annual Report Ending April 30, 2017.
- 6.14. INFORMATION ITEM - Receive the Development Review Quarterly Report for April to June 2017.
- 6.15. INFORMATION ITEM - Receive the Programmed Projects Quarterly Monitoring Report for April - June 2017.
- 6.16. INFORMATION ITEM - Receive Fiscal Year 2017 SR 237 Express Lanes Operational Report.
- 6.17. INFORMATION ITEM - Receive Legislative update.
- 6.18. INFORMATION ITEM - Receive a status update on Disadvantaged Business Enterprise Contract Availability and Utilization Study (Disparity Study).
- 6.19. INFORMATION ITEM - Receive a report on the October 9, 2017 Transit Service Changes.

7. REGULAR AGENDA

Administration and Finance Committee

- 7.1. ACTION ITEM - Authorize the General Manager to execute a contract amendment with MM/Bechtel, a Joint Venture, for project management services supporting the Silicon Valley Rapid Transit Program in the amount of \$24,125,000 and increasing the total agreement value to \$235,300,000.
- 7.2. ACTION ITEM - Authorize the General Manager to execute a contract amendment with PGH Wong Engineering, Inc. (Wong), for construction management services supporting the Silicon Valley Berryessa Extension (SVBX) Project in the amount of \$18,475,000; and increasing the total agreement value to \$65,600,000.
- 7.3. ACTION ITEM - Authorize the General Manager to execute a contract with HNTB/WSP Parsons Brinckerhoff (HNTB+PB), a Joint Venture, in an amount up to \$88,289,000 for a four year period ending in December 2021 to provide Program Management services for VTA's BART Silicon Valley Phase II Extension.

Board of Directors

- 7.4. ACTION ITEM - Approve staff recommendation to include the Downtown San Jose Station West Option and Diridon Station North Option in the Recommended Project Description of the Final Supplemental Environmental Impact Statement/Subsequent Environmental Impact Report and Final Section 4(f) Evaluation (Final SEIS/SEIR) for Phase II of VTA's BART Silicon Valley Extension Project.

8. OTHER ITEMS

8.1. General Manager Report. (Verbal Report)

8.1.A. INFORMATION ITEM - Receive Government Affairs Update.

8.1.B. INFORMATION ITEM - Receive Silicon Valley Rapid Transit (SVRT) Program Update.

8.2. Chairperson's Report. (Verbal Report)

8.3. ITEMS OF CONCERN AND REFERRAL TO ADMINISTRATION

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

8.4.A. VTA Standing Committees

8.4.B. VTA Advisory Committees

8.4.C. VTA Policy Advisory Boards (PAB)

8.4.D. Joint Powers Boards and Regional Commissions

8.5. Announcements

9. CLOSED SESSION

9.1. Recess to Closed Session

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

Claim of the Estate of Lawrence Thompson, Claim No. 1893575

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

Name of Case: Santa Clara Valley Transportation Authority v. Mayfield Homeowners Association, et al. (Alameda County Superior Court Case No.: RG 16839610)

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

Name of Case: Praneeth Gone v. Santa Clara Valley Transportation Authority (Santa Clara County Superior Court Case No.: 110CV173570)

D. Conference with Legal Counsel - Anticipated Litigation
[Government Code Section 54956(d)(2)]

Significant Exposure to Litigation

No. of Potential Cases: 1

E. Conference with Legal Counsel - Anticipated Litigation
[Government Code Section 54956(d)(4)]

Initiation of Litigation

No. of Potential Cases: 1

9.2. Reconvene to Open Session

9.3. Closed Session Report

10. ADJOURN
