



BOARD OF DIRECTORS MEETING

Thursday, January 10, 2019

5:30 PM

VTA Auditorium

3331 North First Street

San Jose, CA 95134

PLEASE NOTE MEETING LOCATION

REVISED AGENDA

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

- Persons wishing to address the Santa Clara Valley Transportation Authority (VTA) Board of Directors (Board) 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.

**Changes from the previous version (shown in blue font):*

Added the following to Closed Session Item #9.1.D:

VTA Designated Representatives: Sylvester Fadal, Deputy Director of Business Services

Employee Organizations: American Federation of State, County, and Municipal Employees Local 101 (AFSCME) and Transportation Authority Engineers & Architects Association Local 21 (TAEA)


01/07/19 4:15 p.m.

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.**

3331 N First St., San Jose, California is served by bus lines *58 and Light Rail.

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. ADMINISTER OATHS OF OFFICE to newly appointed Board Members.
- 1.2. ROLL CALL
- 1.3. Pledge of Allegiance
- 1.4. Orders of the Day

2. AWARDS AND COMMENDATION

- 2.1. INFORMATION ITEM - Recognize Luke Travers, Senior Business Systems Analyst, Technology Department; Doug Keegan, Coach Operator, North Yard Operations; Robin Jackson, Bus Stop Maintenance Worker, Passenger Facilities Maintenance; as Employees of the First (1st) Quarter of 2019; and Jon Maier, Management Analyst, Technology Department, as Supervisor of the First (1st) Quarter of 2019.
- 2.2. ACTION ITEM - Adopt the Resolution of Appreciation for 2018 VTA Board Chairperson Sam Liccardo.
- 2.3. ACTION ITEM - Adopt Resolution of Appreciation for outgoing VTA Board Member Savita Vaidhyathan.

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. (No Report)
- 5.2. Policy Advisory Committee (PAC) Chairperson's Report. (No Report)
- 5.3. Standing Committee Chairpersons' Report. (Verbal Report)
- 5.4. Policy Advisory Board Chairpersons' Report. (No Report)

6. CONSENT AGENDA

- 6.1.** ACTION ITEM - Approve the Board of Directors Regular Meeting Minutes of December 6, 2018.
- 6.2.** ACTION ITEM - Ratify appointments to the VTA Policy Advisory Boards.
- 6.3.** ACTION ITEM - Ratify appointment to the Bicycle & Pedestrian Advisory Committee for the two-year term ending June 30, 2020.
- 6.4.** ACTION ITEM - Approve the 2019 Legislative Program.
- 6.5.** ACTION ITEM - Authorize the General Manager to execute an amendment to the contract with Outfront Media Group, LLC, to amend the scope of services to include the Berryessa/North San Jose Intermodal Transit Center and the Milpitas Intermodal Transit Center, and to increase the Minimum Annual Guarantee to reflect the additional advertising assets.
- 6.6.** ACTION ITEM - Authorize the General Manager to negotiate and execute a contract with Ray Morgan Company (RMC) for Multifunction Device (print, copy, scan) services. The initial term of the contract will be five years with an option to extend the contract on an annual basis for two additional years. The cost of the initial five-year term is \$1,800,000, plus \$300,000 per year for two optional one-year periods, for a total of \$2,400,000.
- 6.7.** ACTION ITEM - Authorize the General Manager to: (1) execute a contract amendment with Allied Telesis for additional warranty, support and software customization services in support of the Closed Circuit Television (CCTV) system on Light Rail in an amount not to exceed \$1,525,647; (2) extend the contract term through six (6) years of Extended Warranty; and (3) increase the total contract value to an amount not to exceed \$9,163,044.
- 6.8.** ACTION ITEM - Authorize the General Manager to enter into a Second Amended and Restated Joint Powers Agreement with Alameda County Transportation Commission in connection with the operations of the I-680 Express Lane.
- 6.9.** ACTION ITEM - Program \$150,000 of Local Program Reserve (LPR) funds to provide the local share of the development of a Vehicle Miles Traveled (VMT) Estimation Tool, to be repaid with a one-time surcharge on Congestion Management Program (CMP) Member Agency fees in Fiscal Year 2020. Also, allocate \$12,684.19 of LPR funds to close out the SR152/SR156 Interchange project.

- 6.10.** ACTION ITEM - Authorize the General Manager to execute Cooperative Agreements with:
 - 1. California Department of Transportation (Caltrans);
 - 2. Cities and Towns of Santa Clara County and the County of Santa Clara; and
 - 3. State and regional agencies such as the California Highway Patrol (CHP) and Metropolitan Transportation Commission (MTC) for planning, environmental, design, right of way, and construction phases of roadway projects.

- 6.11.** ACTION ITEM - Approve the VTA Land Use and Development Review Policy. *(Deferred from the December 6, 2018 VTA Board of Directors meeting.)*

- 6.12.** INFORMATION ITEM - Review the status of ongoing Santa Clara County Vehicle Registration Fee (VRF) activity.

- 6.13.** INFORMATION ITEM - Review the status of ongoing Santa Clara County Transportation Fund for Clean Air (TFCA) projects.

- 6.14.** INFORMATION ITEM - Receive report on VTA's Transit Sustainability Project progress.

- 6.15.** INFORMATION ITEM - Receive a report on the January 14, 2019 service changes.

7. REGULAR AGENDA

Administration and Finance Committee

- 7.1.** ACTION ITEM - Authorize the General Manager to execute a contract with Mott MacDonald/PGH Wong Engineering Joint Venture (MMW) in an amount up to \$125,000,000 to provide General Engineering services for the preliminary engineering phase of VTA's BART Silicon Valley Phase II Extension.

Board of Directors

- 7.2.** ACTION ITEM - Direct staff to conduct outreach on the proposed 2019 New Transit Service Plan, presented per the Board's direction to develop and implement a New Transit Service Plan.

- 7.3.** ACTION ITEM - Approve appointments to Board Standing Committees, Joint Powers Boards, Policy Advisory Boards, and Ad Hoc Committees for 2019.

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 a presentation from Tony Tavares, Caltrans District 4 Director. (Verbal Report)

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

8.2. Chairperson's Report. (Verbal Report)

8.2.A. Receive remarks from 2019 Chairperson Teresa O'Neill. (Verbal Report)

8.3. ITEMS OF CONCERN AND REFERRAL TO ADMINISTRATION

8.4. INFORMATION ITEM - 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)] (*Deferred from the December 6, 2018 Board Meeting*)

Name of Case: Santa Clara Valley Transportation Authority v. Montague Parkway Associates, LP (Santa Clara County Superior Court Case No.: 112CV220334)

B. Conference with Real Property Negotiators
[Government Code Section 54956.8] (*Deferred from the December 6, 2018 Board Meeting*)

Property: 2510 Alum Rock Avenue, San Jose, CA 95116
(APN:484-42-011)

Agency Negotiator: Evelyn Tran, General Counsel

Negotiating Parties: Michael Whitton from Troutman Sanders, counsel for Nakash Enterprises, LLC

Under Negotiation: Price and terms of purchase and sale

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

Name of Case: Victor Munoz vs. Santa Clara Valley Transportation Authority

Case# Workers Compensation Appeals Board ADJ 10515147

D. Conference with Labor Negotiators
[Government Code Section 54957.6]

VTA Designated Representatives
Alberto Lara, Director of Business Services
Bob Escobar, Negotiator
Raj Srinath, Chief Financial Officer
Inez Evans, Chief Operating Officer
[Sylvester Fadal, Deputy Director of Business Services](#)

Employee Organizations
Amalgamated Transit Union, Local 265
Service Employees International Union, Local 521
[American Federation of State, County, and Municipal Employees Local 101 \(AFSCME\)](#)
[Transportation Authority Engineers & Architects Association Local 21 \(TAEA\)](#)

9.2. Reconvene to Open Session

9.3. Closed Session Report

10. ADJOURN
