

BOARD OF DIRECTORS MEETING

Thursday, January 9, 2020

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. Pledge of Allegiance**
- 1.3. Orders of the Day**

2. AWARDS AND COMMENDATION

- 2.1. INFORMATION ITEM** - Recognize Lok Ki Chan, Graphic Designer I, Creative Services Unit; Steve Yun, Light Rail Operator, Guadalupe Operations; Juan Delgadillo, Transit Mechanic, North Yard Maintenance; as Employees of the First (1st) Quarter of 2020; and Maria Chavez, Senior Human Resources Analyst, Retirement Services Unit, as Supervisor of the First (1st) Quarter of 2020.
- 2.2. INFORMATION ITEM** - Recognize community partner "Mighty" Mike McGee, for his efforts for VTA's Artist of the Month campaign.
- 2.3. ACTION ITEM** - Adopt the Resolution of Appreciation for 2019 VTA Board Chairperson Teresa O'Neill.
 - Receive remarks from Teresa O'Neill.

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) (Schulter)
- 5.2. Policy Advisory Committee (PAC) Chairperson's Report.** (Verbal Report) (No Report)
- 5.3. Standing Committee Chairpersons' Report.** (Verbal Report) (No Report)
- 5.4. Policy Advisory Board Chairpersons' Report.** (Verbal Report)
- 5.5. Ad Hoc Board Enhancement Committee Chairperson's Report** (Verbal Report) (McAlister)

6. CONSENT AGENDA

- 6.1.** ACTION ITEM - Approve the Board of Directors Regular Meeting Minutes of December 5, 2019.
- 6.2.** ACTION ITEM - Program \$103,649 of 1996 Measure B Local Program Reserve for the Central Bikeway Feasibility Study to match a \$800,000 Caltrans Sustainable Communities Planning grant.

Governance and Audit Committee

- 6.3.** ACTION ITEM - Review and Receive the Auditor General's Report on Fixed Assets and State of Good Repairs.

Board of Directors

- 6.4.** INFORMATION ITEM - Receive unapproved Minutes/Summary Reports from VTA Committees, Joint Powers Boards (JPB), and Regional Commissions.

7. REGULAR AGENDA

Board of Directors

- 7.1.** INFORMATION ITEM - Receive Silicon Valley Rapid Transit (SVRT) Program Update.
- 7.2.** ACTION ITEM - Approve the 2020 Legislative Program for the Santa Clara Valley Transportation Authority.
- 7.3.** ACTION ITEM - Approve appointments to Board Standing Committees, Joint Powers Boards, Policy Advisory Boards, and Ad Hoc Committees for 2020.
- 7.4.** INFORMATION ITEM - Receive a presentation on VTA's Sustainability Program and Climate Initiatives. (Verbal Report)

8. OTHER ITEMS

- 8.1.** General Manager Report. (Verbal Report)
 - 8.1.A.** INFORMATION ITEM - Receive Government Affairs Update. (Verbal Report)
- 8.2.** Chairperson's Report. (Verbal Report)
 - Receive remarks from 2020 Chairperson Cindy Chavez. (Verbal Report)

8.3. ITEMS OF CONCERN AND REFERRAL TO ADMINISTRATION

8.4. Announcements

9. CLOSED SESSION

9.1. Recess to Closed Session

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

Name of Case: Sharks Sports & Entertainment, LLC v. Santa Clara Valley Transportation Authority, et al. (Santa Clara County Superior Court Case No. 18-CV-327687)

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

Name of Case: Skanska-Shimmick-Herzog v. Santa Clara Valley Transportation Authority (Santa Clara County Superior Court Case No. 19-CV-356027)

C. Conference with Legal Counsel - Potential Litigation to be Initiated by VTA
[Government Code Section 54956.9(d)(4)]

D. Conference with Legal Counsel - Potential Litigation to be Initiated by VTA
[Government Code Section 54956.9(d)(4)]

9.2. Reconvene to Open Session

9.3. Closed Session Report

10. ADJOURN
