

**CITIZENS ADVISORY COMMITTEE
and
2000 MEASURE A CITIZENS WATCHDOG COMMITTEE**

Wednesday, March 11, 2009

MINUTES

Call to Order

The Regular Meeting of the Citizens Advisory Committee (CAC) was called to order at 4:38 p.m. by Chairperson Tebo in Conference Room B-104, VTA River Oaks Campus, 3331 North First Street, San Jose, California.

1. ROLL CALL

Attendee Name	Title	Status	Arrived
Stephen Blaylock	CAC Member	Present	
Chris Elias	CAC Member	Present	4:46 PM
Ray Hashimoto	CAC Member	Absent	
Roberta Hughan	CAC Member	Present	
Robert Jacobvitz	CAC Vice Chair	Present	
Gaye Morando	CAC Member	Present	
Charlotte Powers	CAC Member	Present	
Sally Probst	CAC Member	Present	
Connie Rogers	CAC Member	Present	
Martin Schulter	CAC Member	Absent	
Peter Skinner	CAC Member	Absent	
Noel Tebo	CAC Chair	Present	

A quorum was not present and a Committee of the Whole was declared.

2. ORDERS OF THE DAY

There were no Orders of the Day.

3. PUBLIC PRESENTATIONS

There were no Public Presentations.

4. Committee Staff Report

Stephen Flynn, Senior Management Analyst, reported on VTA's biennial budget for 2010 and 2011. Mr. Flynn stated: 1) VTA's State Transit Assistance (STA) funds have been reduced by \$6 Million in 2009 with a projected reduction of \$12 Million in both 2010 and 2011; 2) sales tax revenues are expected to decline; 3) deficits of \$28 Million in Fiscal Year 2010 and \$50 Million in Fiscal Year 2011 are anticipated; 4) a 15 percent operating reserve will bridge a portion of these deficits, but is not sufficient to completely cover the projected shortfall; 5) departmental budgets are under review; 6) only critical staff vacancies will be filled; 7) the goal is to achieve labor savings through attrition rather than layoffs; 8) capital projects are being reevaluated and delayed where feasible; 9) travel requests are under review; and 10) project work will be performed by in-house staff whenever possible.

The recommended budget will be: 1) reviewed at the April 16, 2009, Administration & Finance (A&F) Committee meeting; 2) presented to the Board at a Workshop on April 24, 2009; 3) presented for review and comment at several community meetings; and 4) presented to the VTA Advisory Committees in early May.

Advisory Committee Members are encouraged to attend meetings and review the recommended budget prior to the May Advisory Committee meetings. The Board is scheduled to consider the budget at its June 4, 2009, meeting.

VTA Board Chairperson Dolly Sandoval was recently named by the Silicon Valley Business Journal as a "Woman of Influence."

5. Chairperson's Report

Chairperson Tebo reported on: 1) the BART discussion held at the February 27, 2009, Board Workshop; 2) coordination of the proposed Airport People Mover has been taken over by the City of San José; and 3) the Carbon-Free Mobility Conference he attended in Oakland on March 6, 2009.

Member Elias took his seat at 4:46 p.m. and a quorum was declared.

Members Okuzumi and Kline tendered their resignations from the Citizens Advisory Committee in February.

Member Schuler requested an additional two-month extension to his attendance waiver.

BUSINESS REFERRED TO COMMITTEE BY THE BOARD OF DIRECTORS/ GENERAL MANAGER

COMBINED CAC AND 2000 MEASURE A CITIZENS WATCHDOG COMMITTEE CONSENT AGENDAS

6. **Minutes of February 11, 2009**

M/S/C (Probst/Rogers) to approve the Minutes of February 11, 2009.

7. **Monthly Legislative History Matrix**

On order of Chairperson Tebo and there being no objection, the Committee received the Monthly Legislative History Matrix.

8. **Transit Operations Performance Report: 2009 Second Quarter (July 1, 2008-December 31, 2008)**

Member Rogers questioned the reported decrease in Light Rail Shuttle ridership. Joonie Tolosa, Manager, Operations Analysis, Reporting & Systems, stated the decreased figure reflects the IBM Shuttle as the only remaining VTA funded Light Rail Shuttle.

On order of Chairperson Tebo and there being no objection, the Committee received the Transit Operations Performance Report: 2009 Second Quarter (July 1, 2008-December 31, 2008).

9. **Proactive CMP Reviewed and Approved Projects Quarterly Status Report**

On order of Chairperson Tebo and there being no objection, the Committee received the Proactive CMP Reviewed and Approved Projects Quarterly Status Report.

10. **Bill Position: AB 266 (Carter)**

Members Probst, Rogers and Powers noted their support for Bill Position AB 266 and recommended notifying the Board of the CAC's support. Stephen Flynn, Senior Management Analyst, suggested Chairperson Tebo include CAC's support of this bill position in his report to the Board at their April 2, 2009, meeting.

On order of Chairperson Tebo and there being no objection, the Committee received the Bill Position: AB 266 (Carter).

2000 MEASURE A CITIZENS WATCHDOG COMMITTEE REGULAR AGENDA

11. **Update on Efforts to Publicize Measure A Progress**

Bernice Alaniz, Deputy Director, Marketing & Public Affairs, reported on the methods staff uses to publicize and promote project status and milestones of Measure A Projects to the public, including: 1) hosting public meetings; 2) attending community events; 3) print ads in English, Spanish, and Vietnamese language newspapers; 4) distributing flyers; 5) mailing newsletters; and 6) issuing news releases.

Member Probst strongly encouraged staff to publicly tout VTA successes and community contributions.

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

Member Blaylock questioned feedback measurement. Ms. Alaniz stated comments during meetings are collected and compiled. She noted staff is considering the establishment of a Web Log (BLOG).

On order of Chairperson Tebo and there being no objection, the Committee received an Update on Efforts to Publicize Measure A Progress.

12. Compliance Auditor Status Report on FY08 Audit

David Bullock, CPA, Engagement Partner, and Craig Boyer, CPA, Engagement Manager, from the independent certified public accounting firm of Macias, Gini and O'Connell, LLP (MGO) provided a draft handout of the independent auditor's reports and budgetary comparison schedule for the FY08 Audit.

Messrs. Bullock and Boyer: 1) discussed the scope of the current audit; 2) provided an update on the timetable; 3) discussed the content and presentation of the audit report; and 4) noted their focus is on the compliance aspect of the audit.

Member Elias questioned MGO's familiarity with the California Bureau of State Audits (BSA) report on VTA issued on July 31, 2008. Mr. Bullock stated MGO would review the report to determine if information included was pertinent to the 2000 Measure A Program and the scope of MGO's audit.

Mr. Flynn understood the BSA report did not have recommendations with regard to the 2000 Measure A Program. He stated, although some of the BSA recommendations dealt with advisory committees, the CWC is not an advisory committee. One result of the BSA report is the CAC Chairperson's monthly report to the Board.

Mr. Bullock noted the sample format of MGO's report provides more detail, a frame of reference, and a disclosure spelling out the acronyms will be included. He discussed potential changes to the report format with the CAC. The CAC members expressed their appreciation for the more detailed report.

Chairperson Tebo questioned the timeline for the report. Mr. Bullock provided an anticipated completion date of March 20, 2009.

Chairperson Tebo reminded the auditors the Citizens Watchdog Committee's sole interest is to ensure Measure A funds are used appropriately and requested the Auditors provide any recommended actions as part of their presentation.

On order of Chairperson Tebo and there being no objection, the Committee received the Compliance Auditor Status Report on FY08 Audit.

13. Background and Requirements for Citizens Watchdog Committee's (CWC) Public Hearing

Stephen Flynn, Senior Management Analyst, discussed the annual CWC Public Hearing. Mr. Flynn noted at its April meeting the CWC will set the time and location for the hearing.

Mr. Flynn stated the purpose of this hearing is to: 1) provide the public with a forum for offering input to the CWC on the 2000 Measure A Program; and 2) allow the CWC to hear views, opinions, and any concerns from the community.

Mr. Flynn reminded the CWC, per their past decision, notification for this hearing will be publicly posted and published in local multi-language newspapers at least 21-days prior to the hearing. The public notice will also be posted on VTA's website.

Members Powers and Probst recommended the use of public service announcements.

CITIZENS ADVISORY COMMITTEE REGULAR AGENDA

14. Advisory Committee Enhancement (ACE) Update: March

Jennie Loft, Public Information Officer, reported on the second ACE Task Force meeting held February 25, 2009. Excerpts from the Hay Group Report and the State Audit Report were reviewed to help define the scope of the Task Force.

A book entitled "Advisory Council" was distributed to the Task Force members. The book provides both framework and best practices for advisory committees.

The next ACE Task Force meeting will be March 25, 2009.

On order of Chairperson Tebo and there being no objection, the Committee received the Advisory Committee Enhancement (ACE) Update: March.

15. CAC Advisory Committee Enhancement (ACE) Subcommittee Report

Vice Chairperson Jacobvitz reported on the evolving process of the ACE task force. He noted a facilitator, Carmen Clark, had recently been assigned to the task force. The facilitator began with a socialization process allowing the task force members an opportunity to develop an element of trust with one another, define their goal, and how to improve communication within and between the committees.

Member Blaylock questioned how Member Kline's departure from the CAC will effect the CAC's task force participation. Vice Chairperson Jacobvitz stated, as the ACE alternate for Members Kline and Powers, he had stepped into the task force role vacated by Member Kline. He noted that although both members and alternates participate in the process, alternate members do not vote unless they are replacing a voting member.

Member Blaylock volunteered to be the CAC's ACE Task Force Alternate Member.

Members Rogers and Powers commended Chairperson Sandoval's decision to appoint a professional facilitator to lead the Task Force as they review identified problems and the scope envisioned for the ACE process.

COMBINED CAC AND CITIZENS WATCHDOG COMMITTEE ITEMS

16. Citizens Advisory Committee (CAC) and the Citizens Watchdog Committee (CWC) Work Plans

On order of Chairperson Tebo and there being no objection, the Committee reviewed the CAC and CWC Work Plans.

OTHER

17. ANNOUNCEMENTS

There were no Announcements.

18. ADJOURNMENT

On order of Chairperson Tebo and there being no objection, the meeting was adjourned at 5:56 p.m.

Respectfully submitted,

Susan E. Garcia, Board Assistant
VTA Board of Directors