



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

Wednesday, September 9, 2009

**MINUTES**

**Call to Order**

The Regular Meeting of the Citizens Advisory Committee (CAC) was called to order at 4:40 p.m., by Chairperson Tebo, in Conference Room B-104, VTA River Oaks Campus, 3331 North First Street, San Jose, California.

**1. ROLL CALL**

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>
Stephen Blaylock	CAC Member	Present
Chris Elias	CAC Member	Present
Ray Hashimoto	CAC Member	Absent
Roberta Hugan	CAC Member	Present
Erik Larsen	CAC Member	Present
Gaye Morando	CAC Member	Present
Charlotte Powers	CAC Member	Present
Sally Probst	CAC Member	Absent
Connie Rogers	CAC Member	Present
Martin Schulter	CAC Member	Absent
Peter Skinner	CAC Member	Present
Robert Jacobvitz	CAC Vice Chair	Present
Noel Tebo	CAC Chair	Present

**A quorum was present.**

**2. ORDERS OF THE DAY**

There were no Orders of the Day.

**3. PUBLIC PRESENTATIONS:**

There were no Public Presentations.

#### 4. Committee Staff Report

Greta Helm, Chief External Affairs Officer and Staff Liaison, reported Board Chairperson Sandoval's report will be deferred to November 2009. She encouraged Members to attend the Board of Directors Workshop scheduled for September 25, 2009, 9:00 a.m. at the Board of Supervisors' Chamber. The workshop topics include Light Rail (LR) System Assessment and the Joint Development Program.

Jim Unites, Operations Deputy Director, reviewed the Service Reduction Plan (Plan) and highlighted the affected bus routes and shuttle services. He also reviewed the adjustments made to the plan in response to the public and stakeholder comments received. The Transit Planning and Operations Committee will review the Plan this month and is scheduled for Board approval in October 2009.

Member Blaylock inquired what will happen to the grant VTA receives for the River Oaks Shuttle, if it will be discontinued. Mr. Unites responded the grant is minimal and VTA will not apply for it once the route is discontinued. Mr. Unites explained that as a condition of approval, the City of San Jose required developers in the River Oaks Area to provide shuttles. The developers will now be responsible for determining how shuttles can be provided.

The Committee commended VTA staff for their public outreach efforts and responsiveness to public comments regarding the Plan. The Committee noted its appreciation to staff for revising the Plan based on public comments received.

Chairperson Tebo noted the need for more public outreach especially to High Schools to inform students about available transit services. Ms. Helm responded this year, VTA staff coordinated with high schools and provided orientation. The orientation markets VTA services and highlights safety.

Ms. Helm reminded fare increases will be implemented on October 1, 2009. Members who want to distribute materials to groups they belong to can request for informational materials from VTA staff.

**On order of Chairperson Tebo** and there being no objection, the Committee received the Committee Staff Report.

#### 5. Chairperson's Report

Chairperson Tebo noted he reported to the Board of Directors regarding the Citizens Watchdog Committee's (CWC) individual detailed response to the Civil Grand Jury. Chairperson Tebo thanked Member Larsen and the members of the Subcommittee for their work in the Civil Grand Jury Response.

Chairperson Tebo noted the Board asked a question related to the CWC hiring consultants for advice. To this question, Chairperson Tebo responded the CWC utilized VTA's audit consultant for the first year but went into the process of selecting CWC's own independent auditor for the second year. Chairperson Tebo added he told the Board of Directors the CWC reserves the right to hire consultants for advice if the need arise in

the future.

Stephen Flynn, Senior Management Analyst, reported Member Probst indicated she plans to attend the October 2009 CAC/CWC meeting.

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

### **COMBINED CAC AND 2000 MEASURE A CITIZENS WATCHDOG COMMITTEE CONSENT AGENDAS**

#### **6. (Removed from the Consent Agenda and Placed on the Regular Agenda.)**

Approve the Minutes of Aug 12, 2009.

### **2000 MEASURE A CITIZENS WATCHDOG COMMITTEE REGULAR AGENDA**

#### **6. Minutes of August 12, 2009**

Member Larsen referred to Page 8 of 13, fourth sentence from the bottom of the page, and recommended changing the sentence to “Member Larsen expressed concern with revealing names of people reporting to the Civil Grand Jury.”

**M/S/C (Larsen/Powers)** to approve the Minutes of August 12, 2009, as amended.

### **COMBINED CAC AND 2000 MEASURE A CITIZENS WATCHDOG COMMITTEE CONSENT AGENDAS (continued)**

#### **7. Monthly Legislative History Matrix**

**M/S/C (Larsen/Morando)** to review the Monthly Legislative History Matrix.

#### **8. Bill Position: H.R. 2746 (Carnahan)**

Member Powers inquired if monies will not be used for operations once the economy recovers. Scott Haywood, Policy & Community Relations Manager, responded the future Board Members will have to decide on that issue. At this time, the bill, as currently written, provides the transit agencies the flexibility to use monies for operations.

**M/S/C (Larsen/Morando)** to recommend the VTA Board of Directors adopt a support position for H.R. 2746 (Carnahan), which allows all public transit agencies to use a portion of their federal Section 5307 Urbanized Area (UZA) formula funds for operating purposes.

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

**9. CWC FY 2008 Annual Report and Publication Strategy**

Mr. Flynn noted in the past, the Committee publishes an abbreviated version of the Annual Report for publication in local newspapers and places a comprehensive version in VTA's website. Based on previous Committee discussion, staff prepared a publication strategy noted on Attachment C which explores the possibility of using community newspaper instead of the San Jose Mercury News.

Dino Guevarra, Sales and Promotions Supervisor, reviewed the advertising strategy noting although the staff recommended advertising strategy is more costly, it achieves multiple exposures, bigger circulation, utilizes well read community newspapers, and will reach more target audience. He advised the Committee to do its advertising on the last week of September to have leverage on pricing. As a response to Member Skinner's comment, Mr. Guevarra noted staff will reevaluate and determine which between Palo Alto Weekly and Palo Alto Daily has better circulation.

Ms. Helm encouraged Members to inform staff of locations where the Annual Report can be posted free. Additionally, staff can post an article about the Annual Report on VTA Take-Ones, which are available in buses and light rail.

Member Blaylock recommended including in the publication strategy a one-time placement of the Annual Report in the San Jose Mercury News. Member Powers noted the importance of disseminating the more information to the public. She expressed concern about only utilizing the internet for the full document.

Ms. Helm suggested distributing copies of the comprehensive report to public libraries. Language can be added to the abbreviated report directing the public to access the comprehensive report either through the internet or public libraries.

Member Skinner stated the SVLG received via mail the Alameda County Transportation Improvement Authority (ACTIA) 7<sup>th</sup> Annual CWC Report. The Committee inquired if the Measure A CWC can do the same. Ms. Helm responded mailing out the report can increase the cost significantly. Staff could present the cost estimates for mailing out the report, however, the CWC has to determine how wide the circulation should be.

**M/S/C (Powers/Jacobvitz)** to review the Citizens Watchdog Committee's (CWC) Annual Report for Fiscal Year 2008, and approve:

1. The content and format of the full report for placement on VTA's website.
2. The content and format of the abbreviated report for publication in local newspapers.
3. A publication strategy for publishing the abbreviated CWC Annual Report in community newspapers and a one-time publication in the San Jose Mercury News to fulfill the Committee's ballot-specified responsibility of informing Santa Clara County residents on how Measure A funds are being spent.
4. Also, authorize the General Manager to expend up to \$15,000 in 2000 Measure A Transit Improvement Program funds to publish the abbreviated Annual Report in

local newspapers to implement the publication strategy approved by the Committee.

**10. 2000 Measure A Transit Improvement Program Semi-Annual Report – June 2009**

Upon inquiry of Member Powers, Mark Robinson, Chief Engineering and Construction Officer, responded VTA is a part of the City of San Jose study involving Diridon Station. There are several interests in the area including VTA, BART, City of San Jose, High Speed Rail (HSR), and a ball park.

Member Larsen inquired about the City of Milpitas' issues concerning the BART project. Mr. Robinson noted the BART Project is in the Environmental Impact Statement and staff hopes to receive a Record of Decision from the Federal Transit Administration for the project to move forward. VTA staff and the City of Milpitas are working together to refine the elements of the future transit center design.

Member Powers asked if there is any effort to form a Joint Powers for the Diridon Station, given the many interests in the area. Member Skinner commented Assembly Member Beall is leading an effort to create a Joint Powers Authority (JPA) to discuss those issues and interests. Ms. Helm added all interested parties are involved and having dialogue at this time. However, there is nothing definite and there is no formal structure that has been formed to date.

Member Elias expressed concern regarding light rail vehicles being purchased in advance of the construction of the LR Extensions. He stated the majority of the service life of those vehicles will have been used or light rail technology may change by the time the LR Extension Projects are constructed. There may also be a significant differential if the vehicles were purchased later.

Mr. Robinson reviewed the LR Extension project schedules, what has been accomplished so far, and the funding source for the light rail vehicle purchase. He noted the light rail vehicles purchased for the LR Extension Projects are currently used for the existing light rail lines and are not idle.

**On order of Chairperson Tebo** and there being no objection the 2000 Measure A Transit Improvement Program Semi-Annual Report – June 2009 was reviewed.

**CITIZENS ADVISORY COMMITTEE REGULAR AGENDA**

**11. Amend Citizens Watchdog Committee Bylaws to Incorporate 2008 Measure D Responsibilities**

**M/S/C (Hughan/Rogers)** to approve amending the Citizens Advisory Committee bylaws, to reflect the additional duties and responsibilities of the 2000 Measure A Citizens Watchdog Committee as a result of passage of the 2008 Measure D.

## COMBINED CAC AND CITIZENS WATCHDOG COMMITTEE ITEMS

### 12. Citizens Advisory Committee and Citizens Watchdog Committee Work Plans

Member Powers requested staff to forward to the Committee the Advisory Committee Enhancement Process summary report staff prepared for the Administration and Finance Committee.

Member Larsen requested an update regarding the issues concerning the City of Milpitas' General Plan and the BART Project. He requested staff to forward to the Committee the VTA response to the Milpitas City Manager's letter regarding the BART Project.

### OTHER

### 13. ANNOUNCEMENTS

Member Skinner announced the Silicon Valley Leadership Group (SVLG) will have an event entitled, "Projections 2010, Leadership California / Solutions from the Innovation Economy" on September 16, 2009. The event will feature four candidates for governor.

The Committee commended Susan Garcia, Board Assistant, for a well-written minutes.

### 14. ADJOURNMENT

**On order of Chairperson Tebo** and there being no objection, the meeting was adjourned at 5:53 p.m.

Respectfully Submitted,

Elaine F. Baltao, Board Assistant  
Office of the Board Secretary