

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

Wednesday, February 10, 2010

**MINUTES**

**CALL TO ORDER**

The Regular Meeting of the Citizens Advisory Committee (CAC) was called to order at 4:35 p.m., by Chairperson Powers, 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	Present
Roberta Hughan	CAC Member	Present
Robert Jacobvitz	CAC Vice Chairperson	Present
Erik Larsen	CAC Member	Present
Bruce Liedstrand	CAC Member	Present
Gaye Morando	CAC Member	Present
Charlotte Powers	CAC Chairperson	Present
Sally Probst	CAC Member	Present
Connie Rogers	CAC Member	Present
Martin Schulter	CAC Member	Present
Peter Skinner	CAC Member	Absent
Noel Tebo	CAC Member	Present
Herman Wadler	CAC Member	Present

**A quorum was present.**

**2. ORDERS OF THE DAY**

Member Rogers requested Agenda Item #7, Monthly Legislative History Matrix, be moved to the Regular Agenda.

**On order of Chairperson Powers** and there being no objection, the Committee accepted the 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:

At the February 4, 2010, meeting the Board recognized: 1) the outgoing and incoming Advisory Committee Chairs; and 2) the Adopt-a-Stop Program with over 150 annual volunteers. Committee members were asked to encourage volunteers for this program. Ms. Helm noted information on the Adopt-a-Stop Program, including a video, can be found on VTA's website.

Rosa Parks Day was observed on Monday, February 8. VTA's Historic Bus, bearing a plaque commemorating Ms. Parks' efforts, was parked outside of the San Jose Main Library for public viewing.

Member Larsen took his seat at 4:40 p.m.

- **Conflict of Interest Code and Form 700 Filing Requirement for CWC members**

Kevin Allmand, General Counsel, and Sandra Weymouth, Board Secretary, provided a brief overview of the Conflict of Interests Form 700 and the determination behind the requirement for the CWC to file a Form 700.

Mr. Allmand reported California's political reform act requires government officials who make, participate in making, or who are in a position to influence government decisions to file a statement of economic interests. He noted the Form 700 is a listing of personal interests that may give rise to such conflicts.

Mr. Allmand stated VTA was required to develop a Conflict of Interest Code listing the various positions within the organization designated to file a Form 700.

Mr. Allmand noted the CWC is in a position to make governmental decisions. He stated in its capacity as the 2000 Measure A Citizens Watchdog Committee, the CWC is performing various functions that by regulation are defined to be making governmental decisions: 1) committing courses of actions; 2) authorizing contractual arrangements, such as the hiring of auditors; 3) making final substantive decisions on the expenditure of Measure A Funds; 4) holding public hearings; and 5) publishing results in newspapers. He stated these actions constitute governmental decisions that trigger the requirement of filing a Form 700.

Ms. Weymouth provided a brief overview of the Form 700 documentation being distributed to the CWC. She stated the completed Form 700s were to be returned to VTA's Board Office by March 10, 2010, the date of the next CAC/CWC committee meeting.

#### **5. Chairperson's Report**

Chairperson Powers introduced Herman Wadler as the CAC's newest member. She noted in response to a recommendation that came out of the Advisory Committee Enhancement (ACE) Process, Mr. Wadler, a member of the Bicycle & Pedestrian Advisory Committee (BPAC), will be the BPAC's representative on the CAC.

Gary Richards, Columnist, San Jose Mercury News, will be discussing transportation issues at an upcoming CAC meeting. Staff will notify all VTA committees of Mr. Richards visit in the event they would like to attend.

Chairperson Powers reported that Vice Chairperson Jacobvitz represents the CAC on the Ad Hoc Financial Recovery Committee, with Chairperson Powers as his designated alternate. Jim Lawson is the Ad Hoc Committee's staff liaison.

Vice Chairperson Jacobvitz gave a brief report on the February 10, 2010, Ad Hoc Committee meeting.

Chairperson Powers noted CAC Member Peter Skinner has resigned from the Silicon Valley Leadership Group.

## **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 January 13, 2010**

M/S/C (Larsen/Hashimoto) to approve the Regular Meeting Minutes of January 13, 2010.

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

Member Rogers questioned VTA's position on Senate Constitutional Amendment (SCA) 3 (Wyland). Kurt Evans, Government Affairs Manager, stated VTA is on record as supporting this effort.

Members of the Committee discussed the need to stay current on issues concerning VTA. To ensure the CAC has the most up-to-date VTA news, the Committee agreed with Ms. Helm's recommendation to add CAC member email addresses to the Friends of VTA mailing list.

**On order of Chairperson Powers** and there being no objection, the Committee reviewed the Monthly Legislative History Matrix.

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

#### **8. 2000 Measure A Semi-Annual Report**

Mark Robinson, Chief Engineering & Construction Officer, provided the staff report.

**On order of Chairperson Powers** and there being no objection, the Committee received the 2000 Measure A Transit Improvement Program Semi-Annual Report.

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

## **CITIZENS ADVISORY COMMITTEE REGULAR AGENDA**

### **9. Proactive CMP Quarterly Report for October-December 2009**

Robert Swierk, Senior Transportation Planner, provided the staff report.

Members of the Committee offered suggestions on how to encourage Bus and Light Rail ridership to and from the planned 49er stadium in Santa Clara.

**On order of Chairperson Powers** and there being no objection, the Committee received a presentation on the Proactive CMP Quarterly Report for October-December 2009.

### **10. Update on California High Speed Rail/Caltrain Project**

Steven Fisher, Senior Transportation Planner, provided the staff report.

Members of the Committee encouraged VTA to pay special attention to the needs of the disabled and bicyclists during the planning of the High Speed Rail.

Members of the Committee suggested that this item be brought before the BPAC.

Member Larsen left the meeting at 6:10 p.m.

**On order of Chairperson Powers** and there being no objection, the Committee received an update on the California High Speed Rail/Caltrain Project.

### **11. Citizens Advisory Committee Membership Structure**

Members of the Committee recommended that a subcommittee be established to discuss the CAC's composition and how best to accommodate the ACE recommendation for placement of BPAC and CTA representatives on the CAC. Members of the CAC Membership Structure Subcommittee are: Chairperson Powers, Vice Chairperson Jacobvitz, Member Schuller, Member Tebo, and Member Wadler.

Members of the Committee directed staff to bring this item back before the Committee to receive the Subcommittee's report.

**On order of Chairperson Powers** and there being no objection, the Committee reviewed the Citizens Advisory Committee Membership Structure.

## **COMBINED CAC AND CITIZENS WATCHDOG COMMITTEE ITEMS**

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

Members of the Committee requested upcoming agendas include: 1) a presentation from Gary Richards, Columnist, San Jose Mercury News; 2) the CAC independent auditor report procedures; 3) update from the CAC Membership Structure Subcommittee; and 4) discussion of transit-use incentives to share with the Ad Hoc Financial Recovery Committee.

**On order of Chairperson Powers** and there being no objection, the Committee reviewed the Citizens Advisory Committee and Citizens Watchdog Committee Work Plans.

## **OTHER**

### **13. ANNOUNCEMENTS**

There were no announcements.

### **14. ADJOURNMENT**

**On order of Chairperson Powers** and there being no objection, the meeting was adjourned at 6:37 p.m.

Respectfully submitted,

Susan E. Garcia, Board Assistant  
Office of the Board Secretary