



ADMINISTRATION & FINANCE COMMITTEE

Thursday, November 16, 2006

VTA River Oaks Campus
3331 North First Street – Auditorium
San Jose, California

SUMMARY MINUTES

1. CALLED TO ORDER at 12:05 p.m.

ROLL CALL

Members Present

Don Gage
Breene Kerr, Vice Chairperson
Forrest Williams, Chairperson

Members Absent

Madison Nguyen

Alternates Present

None

Alternates Absent

Jamie Matthews
Pete McHugh
Ken Yeager

* Alternates do not serve unless participating as a Member.

A quorum was present.

2. PUBLIC PRESENTATIONS

There were no Public Presentations.

3. ORDERS OF THE DAY

Chairperson Williams **requested** that the following Agenda Item be deferred to the December 21, 2006 A&F Committee Meeting: **Agenda Item # 20.**, Authorize the General Manager to amend a Cooperative Funding Agreement with Alameda County Transportation Authority (ACTA) in an amount not to exceed \$7.5 million, for a total cooperative funding agreement amount of \$11.4 million, related to the I-880/Mission Boulevard Interchange Project. Under the proposed amendment, VTA's financial obligation would be limited to \$3.75 million and would complete final engineering for new Union Pacific Railroad (UPRR) facilities and related improvements

that are necessary for the widening of Mission Boulevard (State Route 262) in Fremont and for the grade separation of Warren Avenue.

Accepted the Orders of the Day.

Board Member Gage **offered** the availability of meeting Room 157 located in the County Government Center located at, 70 West Hedding Street, San Jose, California, for VTA A&F Committee meetings in 2007.

CONSENT AGENDA

4. **Approved** the Regular Meeting Minutes of October 19, 2006.
5. **Reviewed** the Report on Santa Clara Valley Transportation Authority Investments for the Month of September and quarter ending September 2006.
6. **Reviewed** the Quarterly Purchasing Report.
7. **Reviewed** the Fiscal Year 2007 Quarterly Statement of Revenues and Expenses for the period ending September 30, 2006.
8. **Reviewed** the Monthly Legislative History Matrix.
9. **Reviewed** the First Quarter FY 2007 Report of Public Liability/Property Damage and Owner Controlled Insurance Program (OCIP) Claims Activity.
10. **Reviewed** the First Quarter FY 2007 Report of Workers' Compensation Claims, Transitional Work Program and Owner Controlled Insurance Program (OCIP) Claims Activity.
11. **Reviewed** the 2007 Administration and Finance Committee (A&F) Meeting Schedule.
12. **Approved** submitting a recommendation to the Board of Directors to approve the Reappointments to the Committee for Transit Accessibility (CTA) for a two-year term.

REGULAR AGENDA

The Agenda was taken out of order.

17. **Received** a presentation on Advancing 2000 Measure A Transit Improvement Program.
13. **Approved** submitting a recommendation to the Board of Directors to approve amendment of the FY 2007 Operating Budget, augmenting the total appropriation by \$6.7 million to fund increasing operating costs, along with an increased estimate of \$26.2 million in operating revenues; approve amendment of the FY 2007 VTA Enterprise Capital Budget to reduce \$1.5 million in grant funding to be funded from VTA Enterprise funds; the two actions result in a net projected increase in Operating Reserves of

\$18 million; and further, approve amendment of the FY 2007 Measure A Capital Budget, increasing appropriations by \$45 million.

18. **Approved** submitting a recommendation to the Board of Directors to authorize the General Manager to execute a contract with South Bay Transportation Associates (SBTA), a joint venture of Hatch Mott MacDonald and URS Corporation, for program and construction management services for a period of three years in the amount of \$35.3 million. The term of the initial contract would be from January 1, 2007 to December 31, 2009, with additional amendments and extensions contemplated for an additional seven years once the transit and highway capital programs are better defined. Also, authorize an adjustment to the current 2000 Measure A Capital Budget for Fiscal Year 2007 as necessary to commit \$2 million for anticipated program management costs through June 2007.
19. **Approved** submitting a recommendation to the Board of Directors to authorize the General Manager to execute a Cooperative Agreement with Santa Clara Valley Water District (SCVWD) for the combined design of Lower Berryessa Creek Flood Protection Improvements and Union Pacific Track Relocation in an amount not to exceed \$2.0 million. The recommended cost sharing agreement will provide that VTA and SCVWD share the costs of design equally with the maximum financial contribution by VTA not to exceed \$1.0 million.
20. **Deferred** submitting a recommendation to the Board of Directors to authorize the General Manager to amend a Cooperative Funding Agreement with Alameda County Transportation Authority (ACTA) in an amount not to exceed \$7.5 million, for a total cooperative funding agreement amount of \$11.4 million, related to the I-880/Mission Boulevard Interchange Project. Under the proposed amendment, VTA's financial obligation would be limited to \$3.75 million and would complete final engineering for new Union Pacific Railroad (UPRR) facilities and related improvements that are necessary for the widening of Mission Boulevard (State Route 262) in Fremont and for the grade separation of Warren Avenue.
21. **Approved** submitting a recommendation to the Board of Directors to authorize the General Manager to execute a contract in the amount of \$891,198 with Watkin and Bortolussi Inc./Forster & Kroeger Landscape Maintenance (a Joint Venture), the lowest responsible bidder, for construction of the Route 17 Highway Planting project, a 1996 Measure B Transportation Improvement Program (MBTIP) project.
22. **Approved** submitting a recommendation to the Board of Directors to approve amendments to Rail, Highway and Program-wide project budgets for a net decrease of \$1.4 million in total program expenditures as detailed in the attached 1996 Measure B Transportation Improvement Program Semi-Annual Report for December 2006.
14. **Approved** submitting a recommendation to the Board of Directors to authorize the General Manager to execute a new contract with Smith, Watts & Company for state legislative advocacy services for a period of three years in the amount of \$165,600. The term of the contract would be from January 1, 2007, to December 31, 2009. During the three-year term of the contract, the fixed retainer would be \$4,200 per month for the first

year, \$4,600 per month for the second year and \$5,000 per month for the third year. Further authorize the General Manager, at his discretion, to extend this contract after December 31, 2009, for two additional one-year periods at a fixed retainer rate to be negotiated, but which could not exceed \$5,400 per month for the first year and \$5,800 per month for the second year.

15. **Approved** submitting a recommendation to the Board of Directors to authorize the General Manager to implement a “No Smoking” policy at VTA bus shelters, light rail platforms and transit center platforms.
16. **Approved** submitting a recommendation to the Board of Directors to review and provide feedback on the initial recommendations developed by the Technical Advisory Committee, as requested, on how to enhance Committee effectiveness and relationships to the Policy Advisory Committee and VTA Board of Directors.

OTHER ITEMS

23. **Deferred** discussion of the Use of Proceeds from Sale of VTA-Owned Real Properties.
24. **Deferred** discussion of the Joint Development – Developer Selection Criteria.
25. **Items of Concern and Referral to Administration**

There were no Items of Concern and Referral to Administration.
26. **Committee reviewed** and **requested** an update on VTA’s Hydrogen Program be added to the Committee Work Plan.
27. **Committee Staff Report: Received** the Committee Staff Report.
28. **Chairperson’s Report: Expressed appreciation** and **thanked** staff and Board Members for their diligent work and participation in the A&F Committee Meeting.
29. **Determine Consent Agenda for the December 14, 2006 Board Meeting**

CONSENT: Agenda Item # 12., Approve the Reappointments to the Committee for Transit Accessibility (CTA) for a two-year term; **Agenda Item # 14.,** Authorize the General Manager to execute a new contract with Smith, Watts & Company for state legislative advocacy services for a period of three years in the amount of \$165,600. The term of the contract would be from January 1, 2007, to December 31, 2009. During the three-year term of the contract, the fixed retainer would be \$4,200 per month for the first year, \$4,600 per month for the second year and \$5,000 per month for the third year. Further authorize the General Manager, at his discretion, to extend this contract after December 31, 2009, for two additional one-year periods at a fixed retainer rate to be negotiated, but which could not exceed \$5,400 per month for the first year and \$5,800 per month for the second year; **Agenda Item # 15.,** Authorize the General Manager to implement a “No Smoking” policy at VTA bus shelters, light rail platforms and transit center platforms; **Agenda Item # 16.,** Review and provide feedback on the initial

recommendations developed by the Technical Advisory Committee, as requested, on how to enhance Committee effectiveness and relationships to the Policy Advisory Committee and VTA Board of Directors; **Agenda Item # 18.**, Authorize the General Manager to execute a contract with South Bay Transportation Associates (SBTA), a joint venture of Hatch Mott MacDonald and URS Corporation, for program and construction management services for a period of three years in the amount of \$35.3 million. The term of the initial contract would be from January 1, 2007 to December 31, 2009, with additional amendments and extensions contemplated for an additional seven years once the transit and highway capital programs are better defined. Also, authorize an adjustment to the current 2000 Measure A Capital Budget for Fiscal Year 2007 as necessary to commit \$2 million for anticipated program management costs through June 2007; **Agenda Item # 19.**, Authorize the General Manager to execute a Cooperative Agreement with Santa Clara Valley Water District (SCVWD) for the combined design of Lower Berryessa Creek Flood Protection Improvements and Union Pacific Track Relocation in an amount not to exceed \$2.0 million. The recommended cost sharing agreement will provide that VTA and SCVWD share the costs of design equally with the maximum financial contribution by VTA not to exceed \$1.0 million; **Agenda Item # 21.**, Authorize the General Manager to execute a contract in the amount of \$891,198 with Watkin and Bortolussi Inc./Forster & Kroeger Landscape Maintenance (a Joint Venture), the lowest responsible bidder, for construction of the Route 17 Highway Planting project, a 1996 Measure B Transportation Improvement Program (MBTIP) project; and **Agenda Item # 22.**, Approve amendments to Rail, Highway and Program-wide project budgets for a net decrease of \$1.4 million in total program expenditures as detailed in the attached 1996 Measure B Transportation Improvement Program Semi-Annual Report for December 2006.

REGULAR: Agenda Item # 13., Approve amendment of the FY 2007 Operating Budget, augmenting the total appropriation by \$6.7 million to fund increasing operating costs, along with an increased estimate of \$26.2 million in operating revenues; approve amendment of the FY 2007 VTA Enterprise Capital Budget to reduce \$1.5 million in grant funding to be funded from VTA Enterprise funds; the two actions result in a net projected increase in Operating Reserves of \$18 million; and further, approve amendment of the FY 2007 Measure A Capital Budget, increasing appropriations by \$45 million.

30. Announcement

Mr. Burns **congratulated** the Board Member Kerr for being re-elected to serve as Council Member for the Town of Los Altos Hills.

Board Member Gage **commented** that he was elected in the interim as the Santa Clara County Board of Supervisor Chairperson while Santa Clara County Board of Supervisor Jim Beall is participating in a training session in Sacramento over the next few months.

31. ADJOURNED at 1:40 p.m.