



ADMINISTRATION & FINANCE COMMITTEE

Thursday, August 16, 2007

County Government Center
70 West Hedding Street – Room 157
San Jose, California

SUMMARY MINUTES

1. CALLED TO ORDER at 12:04 p.m.

ROLL CALL

Members Present

Don Gage, Vice Chairperson
Breene Kerr, Chairperson
Chuck Reed
Forrest Williams

Members Absent

None

Alternates Present

None

Alternates Absent

Dominic Caserta
Judy Chirco
Pete McHugh

* Alternates do not serve unless participating as a Member.

A quorum was present.

The Agenda was taken out of Order.

2. (Placed towards the end of the A&F Committee Meeting Agenda.)

ADJOURN TO CLOSED SESSION

A. Conference with Real Property Negotiator [Government Code 54956.8]

Property: Block bounded by North First Street, North Market Street, Santa Clara Street and West St. John Street located in downtown San Jose.

Negotiator for VTA: Roberta Notrangelo, Manager of Real Estate

Negotiating parties: The Mitchell Family, Owners, acting through an exclusive listing by CB Richard Ellis.

Under negotiation: Price and terms of payment.

- B.** Conference with Labor Negotiators
[Government Code Section 54957.6]

VTA Designated Representatives:

Jerry Mikolajczyk, Acting Chief Financial Officer
Bill Lopez, Chief Administrative Officer
Robert Escobar, Manager, Office of Employee Relations

Employee Organization:

American Federation of State, County, and Municipal Employees (AFSCME)

RECONVENE TO OPEN SESSION

- 3. (Placed towards the end of the A&F Committee Meeting Agenda.)**

CLOSED SESSION REPORT

- A.** Conference with Real Property Negotiator
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- 4. PUBLIC PRESENTATIONS**

There were no Public Presentations.

- 5. ORDERS OF THE DAY**

Chairperson Kerr **requested** that the following Agenda Items be placed towards the end of the Agenda: **Agenda Item # 2.**, Adjourn to Closed Session and **Agenda Item # 3.**, Closed Session Report.

Chairperson Kerr **requested** that the following Agenda Item be deferred to the September 20, 2007 A&F Committee Meeting: **Agenda Item # 17.**, Authorize staff to discuss and implement a new Homeless Pass program structure to be worked out with the County of Santa Clara (County) as to how recipients would be screened, type of identification to be used, program limits and controls, pricing and generally, the roles of VTA, and the County; and further, authorize that if the above efforts are successful, the existing Homeless Pass Program (HPP) be replaced with an Eco Pass type program, which would provide at least \$111,000 to replace VTA's existing revenues from the HPP.

Chairperson Kerr **requested** that the following Agenda Item be deferred to a future A&F Committee Meeting: **Agenda Item # 21.**, Authorize the General Manager to execute real property purchase and possession and use agreements for the Capitol Expressway Light Rail Project, where the purchase price for the property equals the appraised value or does not exceed \$100,000.

Accepted the Orders of the Day.

6. **Hearing – Notice of Intention of the Peninsula Corridor Joint Powers Board to Issue 2007 Series A Farebox Revenue Bonds**

Closed hearing and **approved** submitting a recommendation to the Board of Directors to adopt a resolution determining that there is a significant public benefit in the acquisition, by the Peninsula Corridor Joint Powers Board (PCJPB), of eight passenger bi-level railcars (railcars) to enhance its service levels; and, approving the issuance of the PCJPB 2007 Series A Farebox Revenue Bonds, the proceeds of which will be used to purchase railcars and refund outstanding 1999 Farebox Revenue Bonds.

7. **Reviewed** VTA's Financial Update.

Board Member Reed took his seat at 12:16 p.m.

Chairperson Kerr **requested** that VTA's Financial Update report presented at the August 30, 2007 Board of Directors meeting include information on how VTA has increased its cash position, reduced its debt position, and increased its net worth.

CONSENT AGENDA

8. **Approved** the Regular Meeting Minutes of May 17, 2007.
9. **Approved** the Special Meeting Minutes of May 23, 2007.
10. **Received and filed** the Board of Directors Committee of the Whole (COW) Meeting Record of July 19, 2007.
11. **Received** the Report on Santa Clara Valley Transportation Authority Investments for the Month of June and quarter ending June 2007.
12. **Reviewed** the Quarterly Purchasing Report.

13. **Reviewed** the Monthly Legislative History Matrix.
14. **Reviewed** the Fourth Quarter and FY 2007 Year-End Report of Public Liability/Property Damage and Owner Controlled Insurance Program (OCIP) Claims Activity.
15. **Reviewed** the Fourth Quarter and FY 2007 Year-End Report of Workers' Compensation Claims and Transitional Work Program.

REGULAR AGENDA

16. **Approved** submitting a recommendation to the Board of Directors to adopt a resolution authorizing the General Manager or his designee to take all necessary actions to offer, via negotiated sale, up to \$140,000,000 of 2000 Measure A Sales Tax Revenue Refunding Bonds, 2007 Series A (2007 Refunding Bonds) to refund \$137,800,000 aggregate principal amount of VTA's 2000 Measure A Sales Tax Revenue Bonds, 2006 Series F and Series G (2006 Series F and G Bonds) and to pay the costs of issuance.
17. **(Deferred to the September 20, 2007 A&F Committee Meeting.)**

Authorize staff to discuss and implement a new Homeless Pass program structure to be worked out with the County of Santa Clara (County) as to how recipients would be screened, type of identification to be used, program limits and controls, pricing and generally, the roles of VTA, and the County; and further, authorize that if the above efforts are successful, the existing Homeless Pass Program (HPP) be replaced with an Eco Pass type program, which would provide at least \$111,000 to replace VTA's existing revenues from the HPP.
18. **Approved** submitting a recommendation to authorize the General Manager to amend the Route 87 (North) High Occupancy Vehicle (HOV) construction contract with RGW Construction by an amount of \$1,250,000 for a new contract amount of up to \$28,972,178, and authorize an adjustment to the current Highway Program Capital Budget appropriation for fiscal year 2008.
19. **Approved** submitting a recommendation to the Board of Directors to authorize the General Manager to: 1) Amend the contract with Nolte Associates to perform additional traffic studies and prepare final design plans for the Carlo Street ramp conversion improvements as part of the Calaveras Boulevard Widening Project, increasing the approved contract value by \$138,700 for a new total contract value of \$461,693; and 2) Extend the term of the contract through December 31, 2008; and 3) Authorize the General Manager to execute an amendment to the cooperative agreement with the City of Milpitas for project funding.
20. **Approved** submitting a recommendation to the Board of Directors to authorize staff to submit an application for \$480,000 in §5339 funds (SAFETEA-LU) for the preparation of the Santa Clara Valley Transportation Authority Bus Rapid Transit Strategic Plan; and if successful in obtaining funds, authorize the General Manager to enter into all necessary agreements with the Federal Transit Administration (FTA) to accept the grant.
21. **(Deferred to a future A&F Committee Meeting.)**

Authorize the General Manager to execute real property purchase and possession and use agreements for the Capitol Expressway Light Rail Project, where the purchase price for the property equals the appraised value or does not exceed \$100,000.

22. **Approved** submitting a recommendation to the Board of Directors to authorize the General Manager to execute a five-year lease agreement, with an option for year-to-year extensions after the original lease term, with T-Mobile USA, Inc. (dba Omnipoint Communications, Inc.) for placement of wireless telecommunications equipment and co-location antenna on VTA property, at a rate of \$2,500 a month with 3 percent annual increases thereafter.

OTHER ITEMS

23. **Received** the report on the Valley Transportation Authority (VTA) – Amalgamated Transit Union (ATU) Pension Plan (Plan) Actuarial Valuation as of January 1, 2007.

24. **Received** the report on the WiFi Internet Access on the 180 Bus Line.

25. **Items of Concern and Referral to Administration**

There were no Items of Concern and Referral to Administration.

26. **Reviewed** the Committee Work Plan.

27. **Committee Staff Report: Received** the Committee Staff Report.

28. **Chairperson's Report: Received** the Chairperson's Report.

29. **Determine Consent Agenda for the August 30, 2007 Board Meeting**

CONSENT: Agenda Item #18., Authorize the General Manager to amend the Route 87 (North) High Occupancy Vehicle (HOV) construction contract with RGW Construction by an amount of \$1,250,000 for a new contract amount of up to \$28,972,178, and authorize an adjustment to the current Highway Program Capital Budget appropriation for fiscal year 2008; **Agenda Item #19.**, Authorize the General Manager to: 1) Amend the contract with Nolte Associates to perform additional traffic studies and prepare final design plans for the Carlo Street ramp conversion improvements as part of the Calaveras Boulevard Widening Project, increasing the approved contract value by \$138,700 for a new total contract value of \$461,693; and 2) Extend the term of the contract through December 31, 2008; and 3) Authorize the General Manager to execute an amendment to the cooperative agreement with the City of Milpitas for project funding; **Agenda Item #20.**, Authorize staff to submit an application for \$480,000 in §5339 funds (SAFETEA-LU) for the preparation of the Santa Clara Valley Transportation Authority Bus Rapid Transit Strategic Plan; and if successful in obtaining funds, authorize the General Manager to enter into all necessary agreements with the Federal Transit Administration (FTA) to accept the grant; and **Agenda Item #22.**, Authorize the General Manager to execute a five-year lease agreement, with an option for year-to-year extensions after the original lease term, with T-Mobile USA, Inc. (dba Omnipoint Communications, Inc.) for placement of wireless telecommunications equipment and co-location antenna on VTA property, at a rate of \$2,500 a month with 3 percent annual increases thereafter.

REGULAR: Agenda Item #6., Adopt a resolution determining that there is a significant public benefit in the acquisition, by the Peninsula Corridor Joint Powers Board (PCJPB), of eight passenger bi-level railcars (railcars) to enhance its service levels; and, approving the issuance of the PCJPB 2007 Series A Farebox Revenue Bonds, the proceeds of which will be used to purchase railcars and refund outstanding 1999 Farebox Revenue Bonds; **Agenda Item #7.**, VTA's Financial Update; and **Agenda Item # 16.**, Adopt a resolution authorizing the General Manager or his designee to take all necessary actions to offer, via negotiated sale, up to \$140,000,000 of 2000 Measure A Sales Tax Revenue Refunding Bonds, 2007 Series A (2007 Refunding Bonds) to refund \$137,800,000 aggregate principal amount of VTA's 2000 Measure A Sales Tax Revenue Bonds, 2006 Series F and Series G (2006 Series F and G Bonds) and to pay the costs of issuance.

30. Announcement

There were no Announcements.

2. ADJOURNED TO CLOSED SESSION at 1:14 p.m.

A. Conference with Real Property Negotiator
[Government Code 54956.8]

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B. Conference with Labor Negotiators
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Bill Lopez, Chief Administrative Officer
Robert Escobar, Manager, Office of Employee Relations

Employee Organization:
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RECONVENED TO OPEN SESSION at 1:26 p.m.

3. CLOSED SESSION REPORT

A. Conference with Real Property Negotiator
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Under negotiation: Price and terms of payment.

There was no reportable action taken during Closed Session.

- B.** Conference with Labor Negotiators
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There was no reportable action taken during Closed Session.

- 31. ADJOURNED at 1:26 p.m.**