



ADMINISTRATION & FINANCE COMMITTEE

Thursday, October 18, 2007

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

SUMMARY MINUTES

1. CALLED TO ORDER at 12:05 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
Kansen Chu
Pete McHugh

* Alternates do not serve unless participating as a Member.

A quorum was present.

Chairperson Kerr **removed** the following Agenda Items from the Agenda: **Agenda Item #2.**, Closed Session and **Agenda Item #3.**, Closed Session Report.

2. ADJOURN TO CLOSED SESSION

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 (Mitchell Block) located in downtown San Jose.

Negotiators for VTA: Jerry Mikolajczyk, Chief Financial Officer
Roberta Notrangelo, Manager of Real Estate

Negotiating parties: Jeffrey S. Kuhn, Managing Principal, Financial Leadership Group, LLC
William T. Brooks, Attorney at Law, Brooks & Hess
John H. Blake, Attorney at Law, Hannig Law Firm

Under negotiation: Price and terms of payment.

There was no Closed Session.

3. CLOSED SESSION REPORT

There was no Closed Session Report.

4. PUBLIC PRESENTATIONS

Jerry Grace, Interested Citizen, **expressed appreciation** to be in attendance and participate in the Administration and Finance (A&F) Committee Meeting.

5. ORDERS OF THE DAY

Chairperson Kerr **requested** that the following Agenda Items be heard as one item on the Agenda: **Agenda Item # 19.**, Continue VTA's existing practice to sell Youth Monthly Passes to school districts and other entities at prices established by the Board of Directors. Direct staff to continue the practice of working with school districts and cities to market VTA's fare media and services to the youth; **Agenda Item # 20.**, Retain the resolution establishing rates and fares for VTA adopted by the Board of Directors on June 7, 2007; and **Agenda Item # 21.**, Retain the resolution establishing rates and fares for VTA adopted by the Board of Directors on June 7, 2007.

Accepted the Orders of the Day.

CONSENT AGENDA

6. **Approved** the Regular Meeting Minutes of August 16, 2007.
7. **Reviewed** the Report on Santa Clara Valley Transportation Authority Investments for the Month of August 2007.
8. **Reviewed** the Fiscal Year 2007 Quarterly Statement of Revenues and Expenses for the period ending June 30, 2007.
9. **Reviewed** the Annual Swap Report for Period Ending June 30, 2007.
10. **Reviewed** the Annual Renewal of Property and Casualty Insurance Coverage.
11. **Reviewed** the Measure A Sales Tax Revenue Refunding Bonds, 2007 Series A.
12. **Reviewed** the Monthly Legislative History Matrix.
13. **Reviewed** the 2007 Quarterly Attendance Report.
14. **Approved** submitting a recommendation to the Board of Directors to adopt a resolution authorizing the filing and execution of grants with the California Department of Transportation (Caltrans) for funding under the Federal Transit Administration (FTA) Section 5311 Non-Urbanized Area Formula Grant Program.
15. **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 thereafter, with T-Mobile USA, Inc. (dba Omnipoint Communications, Inc.) to lease a wireless telecommunications site from VTA starting at \$2,500 a month for the first year plus three percent annual increases thereafter.

REGULAR AGENDA

Board Member Reed arrived at the meeting at 12:10 a.m.

16. **Approved** on a vote of 3 Ayes to 0 Noes to 1 Abstention to submit a recommendation to the Board of Directors to augment the total value of contracts permitted under the previously approved Transportation Planning and Mass Transit Studies on-call list from \$2,500,000 to \$6,000,000 and authorize the General Manager to execute task order contracts to perform transit planning services. Board Member Reed abstained.
17. **Approved** submitting a recommendation to the Board of Directors to authorize the General Manger to execute a contract with AECOM Consult, Inc. (AECOM) in the not-to-exceed amount of \$610,000 for financial planning services related to FTA New Starts program funding for the Silicon Valley Rapid Transit (SVRT) Project.
18. **Approved** submitting a recommendation to the Board of Directors to authorize the General Manager to negotiate and execute a contract with the County of Santa Clara in the amount of \$118,400 per year. This contract would enable VTA to provide Eco Pass type passes at a price of \$60 per pass per year, for up to 1,850 passes to be issued each quarter, for a fixed annual price of \$111,000 plus card issuance expenses of up to \$7,400 per year. These passes would be made available to the homeless population in Santa Clara County effective January 2008.
19. Stephanie Anderson, Committee to Reduce Traffic Congestion along Escuela Parkway, **addressed** the Committee.
Mr. Grace **addressed** the Committee.
Approved on a vote of 3 Ayes to 1 No to 0 Abstentions to submit a recommendation to the Board of Directors to continue VTA's existing practice to sell Youth Monthly Passes to school districts and other entities at prices established by the Board of Directors. Direct staff to continue the practice of working with school districts and cities to market VTA's fare media and services to the youth. Chairperson Kerr opposed.
20. **Approved** on a vote of 3 Ayes to 1 No to 0 Abstentions to submit a recommendation to the Board of Directors to retain the resolution establishing rates and fares for VTA adopted by the Board of Directors on June 7, 2007. Chairperson Kerr opposed.
21. Chairperson Kerr **requested** that staff provide information on the outcome of the ridership levels when Mountain View/Los Altos High School District provided free passes to low-income and special education students.
Approved on a vote of 3 Ayes to 1 No to 0 Abstentions to submit a recommendation to the Board of Directors to retain the resolution establishing rates and fares for VTA adopted by the Board of Directors on June 7, 2007. Chairperson Kerr opposed.
22. Vice Chairperson Gage **requested** that staff prepare a report on the transactions with the amount of the purchase for each property for each project.
Approved submitting a recommendation to the Board of Directors to authorize the General Manager for the Freight Railroad Relocation and Lower Berryessa Creek Project to execute: 1) Real property purchase agreements where the purchase price equals VTA's

statutory offer of just compensation based upon an approved appraisal, or where the negotiated purchase price does not exceed \$100,000; and 2) Possession and use agreements allowing immediate access for VTA to construct the Project prior to agreement on the purchase price.

23. Mr. Grace **addressed** the Committee.

Approved submitting a recommendation to the Board of Directors to authorize the General Manager for the Capitol Expressway Light Rail Project to execute: 1) Real property purchase agreements where the purchase price equals VTA's statutory offer of just compensation based upon an approved appraisal, or where the negotiated purchase price does not exceed \$100,000; and 2) Possession and use agreements allowing immediate access for VTA to construct the Project prior to agreement on the purchase price.

24. **Approved** submitting a recommendation to the Board of Directors to approve the budget and cost allocation for the Santa Clara Valley Habitat Conservation Plan/Natural Community Conservation Plan.

25. Mr. Grace **addressed** the Committee.

Approved submitting a recommendation to the Board of Directors to authorize the General Manager to execute a Construction Cooperative Agreement with the California Department of Transportation (Caltrans) covering the construction of the Route 87 Highway Planting Project; and authorize an increase to the current VTP 2030 Highway Improvement Program Capital Budget appropriation for fiscal year 2008 from \$4,196,000 to \$4,620,000.

26. **Approved** submitting a recommendation to the Board of Directors to adopt proposed Permit Fee Schedules increasing the fees to be collected for Restricted Access Permits and Construction Access Permits.

OTHER ITEMS

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

There were no Items of Concern and Referral to Administration.

28. **Reviewed** the Committee Work Plan.

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

30. **Chairperson's Report**

There was no Chairperson's Report.

31. **Determine Consent Agenda for the November 1, 2007 Board Meeting**

CONSENT: Agenda Item # 14., Adopt a resolution authorizing the filing and execution of grants with the California Department of Transportation (Caltrans) for funding under the Federal Transit Administration (FTA) Section 5311 Non-Urbanized Area Formula Grant Program; **Agenda Item # 15.**, Authorize the General Manager to execute a five-year lease agreement with an option for year-to-year extensions thereafter, with T-Mobile USA, Inc. (dba Omnipoint Communications, Inc.) to lease a wireless telecommunications site from VTA starting at \$2,500 a month for the first year plus three percent annual increases thereafter; **Agenda Item # 16.**, Augment the total value of contracts permitted under the previously approved Transportation Planning and Mass Transit Studies on-call list from \$2,500,000 to \$6,000,000 and authorize the General Manager to execute task order contracts to perform transit planning services; **Agenda Item # 17.**, Authorize the General Manager to execute a contract with AECOM Consult, Inc. (AECOM) in the not-to-exceed amount of \$610,000 for financial planning services related to FTA New Starts program funding for the Silicon Valley Rapid Transit (SVRT) Project; **Agenda Item # 18.**, Authorize the General Manager to negotiate and execute a contract with the County of Santa Clara in the amount of \$118,400 per year. This contract would enable VTA to provide Eco Pass type passes at a price of \$60 per pass per year, for up to 1,850 passes to be issued each quarter, for a fixed annual price of \$111,000 plus card issuance expenses of up to \$7,400 per year. These passes would be made available to the homeless population in Santa Clara County effective January 2008; **Agenda Item # 21.**, Retain the resolution establishing rates and fares for VTA adopted by the Board of Directors on June 7, 2007; **Agenda Item #22.**, Authorize the General Manager for the Freight Railroad Relocation and Lower Berryessa Creek Project to execute: 1) Real property purchase agreements where the purchase price equals VTA's statutory offer of just compensation based upon an approved appraisal, or where the negotiated purchase price does not exceed \$100,000; and 2) Possession and use agreements allowing immediate access for VTA to construct the Project prior to agreement on the purchase price; **Agenda Item #23.**, Authorize the General Manager for the Capitol Expressway Light Rail Project to execute: 1) Real property purchase agreements where the purchase price equals VTA's statutory offer of just compensation based upon an approved appraisal, or where the negotiated purchase price does not exceed \$100,000; and 2) Possession and use agreements allowing immediate access for VTA to construct the Project prior to agreement on the purchase price; **Agenda Item #24.**, Approve the budget and cost allocation for the Santa Clara Valley Habitat Conservation Plan/Natural Community Conservation Plan; **Agenda Item #25.**, Authorize the General Manager to execute a Construction Cooperative Agreement with the California Department of Transportation (Caltrans) covering the construction of the Route 87 Highway Planting Project; and authorize an increase to the current VTP 2030 Highway Improvement Program Capital Budget appropriation for fiscal year 2008 from \$4,196,000 to \$4,620,000; and **Agenda Item #26.**, Adopt proposed Permit Fee Schedules increasing the fees to be collected for Restricted Access Permits and Construction Access Permits.

REGULAR: Agenda Item # 19., Continue VTA's existing practice to sell Youth Monthly Passes to school districts and other entities at prices established by the Board of Directors. Direct staff to continue the practice of working with school districts and cities to market VTA's fare media and services to the youth; and **Agenda Item # 20.**, Retain

the resolution establishing rates and fares for VTA adopted by the Board of Directors on June 7, 2007.

32. Announcement

There were no Announcements.

33. ADJOURNED at 1:15 p.m.