



## ADMINISTRATION & FINANCE COMMITTEE

Thursday, August 18, 2011

### MINUTES

#### CALL TO ORDER

The Regular Meeting of the Administration and Finance Committee (A&F) was called to order at 12:10 p.m. by Chairperson Kniss in Room B-104, VTA River Oaks Campus, 3331 North First Street, San Jose, California.

#### 1. ROLL CALL

Attendee Name	Title	Status
Ash Kalra	Board Member	Present
Liz Kniss	Chairperson	Present
Chuck Reed	Board Member	Present
Perry Woodward	Board Member	Absent
Nancy Pyle	Alternate Board Member	N/A
Pete McHugh	Alternate Board Member	N/A
George Shirakawa	Alternate Board Member	N/A

\* Alternates do not serve unless participating as a Member.

**A quorum was not present and a Committee of the Whole was declared.**

Chairperson Kniss noted staff's request to remove the following Items from the Agenda: **Agenda Item #2.** Recess to Closed Session and **Agenda Item #3.** Closed Session Report.

#### 2. (Removed from the A&F Agenda.)

##### **RECESS TO CLOSED SESSION**

Conference with Labor Negotiators  
[Government Code Section 54957.6]

##### VTA Designated Representatives:

Joseph Smith, Chief Financial Officer  
Bill Lopez, Chief Administrative Officer  
Robert L. Escobar, Human Resources Manager

##### Employee Organizations:

American Federation of State, County and Municipal Employees (AFSCME), Local 101  
Service Employees International Union (SEIU), Local 521  
Transportation Authority Engineers and Architects Association (TAEA), IFPTE, Local 21

3. **(Removed from the A&F Agenda.)**

**CLOSED SESSION REPORT**

Conference with Labor Negotiators  
[Government Code Section 54957.6]

VT A Designated Representatives:

Joseph Smith, Chief Financial Officer  
Bill Lopez, Chief Administrative Officer  
Robert L. Escobar, Human Resources Manager

Employee Organizations:

American Federation of State, County and Municipal Employees (AFSCME), Local 101  
Service Employees International Union (SEIU), Local 521  
Transportation Authority Engineers and Architects Association (TAEA), IFPTE, Local 21

4. **PUBLIC PRESENTATIONS**

There were no Public Presentations.

5. **ORDERS OF THE DAY**

There were no Orders of the Day.

**The Agenda was taken out of order.**

**REGULAR AGENDA**

12. **Silicon Valley Berryessa Extension Project Labor Agreement**

Carolyn Gonot, Chief SVRT Program Officer, introduced Dennis Ratcliffe, SVRT Deputy Project Manager, provided a brief overview of the presentation entitled, "BART Silicon Valley Berryessa Extension Contract C700 – Line, Track, Stations, and Systems Project Labor Agreement," highlighting: 1) PLA Background; 2) Recommended PLA; and 3) PLA Benefits.

**On order of Chairperson Kniss** and there being no objection, the Committee of the Whole deferred the vote until Vice Chairperson Kalra arrived and a quorum was declared.

13. **Substance Abuse Professional Services Contract**

Jacqueline Adams, Senior Human Resource Analyst, provided a staff report.

Upon query from Chairperson Kniss, Ms. Adams responded VTA has a mechanism in place to monitor and track safety sensitive employees for alcohol and illegal drug infractions.

Vice Chairperson Kalra arrived at the meeting and took his seat at 12:25 p.m.  
and quorum was declared.

Vice Chairperson Kalra expressed support, noting the program provides VTA safety and security as well as offering real opportunities for rehabilitation.

**M/S/C (Reed/Kalra)** to approve submitting a recommendation to the Board of Directors to authorize the General Manager to execute a contract with Free Life Enterprises for Substance Abuse Professional Services for a three-year term from November 1, 2011 through October 31, 2014, with options for two one-year extensions. The initial contract amount is \$250,800; the cost for each one-year extension is \$83,600 for a total amount not to exceed \$418,000.

**14. 2011 Sales Tax Revenue Refunding California Transit Finance Authority (CTFA) Bonds**

Joe Smith, Chief Financial Officer and Staff Liaison, provided a staff report.

Board Member Reed expressed concern regarding VTA's level of risk in the market. Michael T. Burns, General Manager, responded staff is consciously monitoring and controlling the level of risk and exposure.

**M/S/C (Kalra/Reed)** to approve submitting a recommendation to the Board of Directors to adopt a resolution authorizing the General Manager or Chief Financial Officer to take all necessary actions, enter into agreements and execute documents for VTA to issue refunding bonds in a par amount not to exceed \$60 million via a competitive or negotiated method of sale, the proceeds of which will refund VTA's Junior Lien Sales Tax Revenue Bonds, 1998 Series A Bonds and Junior Lien Sales Tax Revenue Bonds, 2000 Series A Bonds and to pay the cost of issuance.

## **CONSENT AGENDA**

**6. Regular Meeting Minutes of May 19, 2011**

**M/S/C (Reed/Kalra)** to approve the Regular Meeting Minutes of May 19, 2011.

**7. Monthly Legislative History Matrix**

**M/S/C (Reed/Kalra)** to review the Monthly Legislative History Matrix.

**8. Monthly Investment Report – June 2011**

**M/S/C (Reed/Kalra)** to receive a Report on Santa Clara Valley Transportation Authority Investments for the Month of June 2011.

**9. Quarterly Purchasing Report for April 1, 2011 through June 30, 2011**

**M/S/C (Reed/Kalra)** to review the Quarterly Purchasing Report for April 1, 2011 through June 30, 2011.

**10. Fourth Quarter FY 2011 Year End Report of Public Liability/Property Damage Claims Activity Report**

**M/S/C (Reed/Kalra)** to receive the Fourth Quarter and FY 2011 Year-End Report of Public Liability/Property Damage Claims Activity.

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

11. **Fourth Quarter FY 2011 Year End Report of Workers' Compensation Claims and Transitional Work Program**

M/S/C (Reed/Kalra) to receive the Fourth Quarter and FY 2011 Year-End Report of Workers' Compensation Claims and the Transitional Work Program.

**REGULAR AGENDA** (continued)

12. **Silicon Valley Berryessa Extension Project Labor Agreement**

M/S/C (Kalra/Reed) to approve submitting a recommendation to the Board of Directors to adopt a resolution of findings that use of a Project Labor Agreement for the Line, Track, Stations and Systems Design-Build contract (VTA contract C700) of the Silicon Valley Berryessa Extension Project will ensure the availability and stability of labor resources throughout the duration of the project; and authorize the General Manager to enter into a Project Labor Agreement with the Santa Clara & San Benito Counties Building & Construction Trades Council for the Line, Track, Stations and Systems Design-Build contract of the Silicon Valley Berryessa Extension Project.

**OTHER ITEMS**

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

There were no Items of Concern and Referral to Administration.

16. **Committee Work Plan**

**On order of Chairperson Kniss** and there being no objection, the Committee reviewed the Committee Work Plan.

17. **Committee Staff Report**

There was no Committee Staff Report.

18. **Chairperson's Report**

There was no Chairperson's Report.

19. **Determine Consent Agenda for the September 1, 2011 Board of Directors Meeting**

**CONSENT: Agenda Item #13.** Authorize the General Manager to execute a contract with Free Life Enterprises for Substance Abuse Professional Services for a three-year term from November 1, 2011 through October 31, 2014, with options for two one-year extensions. The initial contract amount is \$250,800; the cost for each one-year extension is \$83,600 for a total amount not to exceed \$418,000.

**REGULAR: Agenda Item #12.** Adopt a resolution of findings that use of a Project Labor Agreement for the Line, Track, Stations and Systems Design-Build contract (VTA contract C700) of the Silicon Valley Berryessa Extension Project will ensure the availability and stability of labor resources throughout the duration of the project; and authorize the General Manager to enter into a Project Labor Agreement with the Santa Clara & San Benito Counties Building & Construction Trades Council for the Line, Track, Stations and Systems Design-Build contract of the Silicon Valley Berryessa Extension Project; and

**Agenda Item #14.** Adopt a resolution authorizing the General Manager or Chief Financial Officer to take all necessary actions, enter into agreements and execute documents for VTA to issue refunding bonds in a par amount not to exceed \$60 million via a competitive or negotiated method of sale, the proceeds of which will refund VTA's Junior Lien Sales Tax Revenue Bonds, 1998 Series A Bonds and Junior Lien Sales Tax Revenue Bonds, 2000 Series A Bonds and to pay the cost of issuance.

**20. Announcements**

There were no Announcements.

**21. ADJOURNMENT**

**On order of Chairperson Kniss** and there being no objection, the Committee meeting was adjourned at 12:45 p.m.

Respectfully submitted,

Michelle M. Garza, Board Assistant  
VTA Office of the Board Secretary