From: Board.Secretary
To: Board.Secretary;
cc: Burns, Michael;
Subject: Caltrain Operating Speed
Date: Saturday, March 07, 2009 11:56:13 AM
Attachments: Board Question.doc

To VTA Board of Directors:

Included in this email is a memo from Steven Fisher in response to a question raised at the Board of Directors meeting regarding the Caltrain Operating Speed.

Deborah Harrington
Board Secretary
Santa Clara Valley Transportation Authority
408.321.5773

TO: VTA Board of Directors

FROM: Steven Fisher, Senior Transportation Planner

DATE: March 6, 2009

SUBJECT: Top Operating Speed of Electrified Caltrain

There was a question asked at last night's Board meeting regarding the top operating speed of electrified Caltrain that we were not able to answer.

I contacted Bob Doty from Caltrain who is Program Director for the upgrade and electrification of Caltrain. The top operating speed for electrified Caltrain is 79 mph. Mr. Doty is in the process of securing a waiver from the Federal Railroad Administration (FRA) that would allow new Caltrain rolling stock (Electric Multiple Units – EMU) to operate at 110 mph. This would require a new signaling system as well.

Please let me know if you have additional questions.

From: Board.Secretary
Sent: Monday, March 09, 2009 5:52 PM
To: Board.Secretary
Cc: Burns, Michael
Subject: Contract Security

To VTA Board of Directors:

Attached is a memo responding to questions raised at the Board of Directors February meeting in regards to the responsibilities and level of training of armed security officers employed under contract by the VTA.

Deborah Harrington
Board Secretary
Santa Clara Valley Transportation Authority
408.321.5773

TO: Board of Directors
Santa Clara Valley Transportation Authority

THROUGH: Michael T. Burns
General Manager

FROM: Donald A. Smith, Jr.
Chief Operating Officer

DATE: March 6, 2009

SUBJECT: Contract Security

On February 5, 2009, the Board of Directors authorized the General Manager to enter into $18,941,000 contract for three years with two-one year options with AlliedBarton, LS, for security and protective services. During the Board's discussion of the item, Board Members expressed concern and asked for a better understanding of the responsibilities and level of training armed security officers receive as compared to Sheriff's deputies.

Security and protective services at VTA are under the direction of the Chief Operating Officer. The primary concerns of VTA's Protective Services Department during any 24-hour service day are customer interaction and safety, crime prevention, response and assessment. VTA responds to reports of crime through the Sheriff's Transit Patrol. Since 1990, VTA has contracted with the Santa Clara County Sheriff's Office for law enforcement services providing VTA with patrol deputies, crime investigation detectives and a plain-clothes detail, the Route Stabilization Team (RST). Deputies are sworn peace officers and take an oath of office. In addition, they must adhere to the Law Enforcement Code of Ethics and must uphold laws of the land including:

- United States Constitution
- California Constitution
- California Penal Code
- California Vehicle Code
- Health and Welfare Codes
- Public Utilities Codes
- Local Ordinances

Sheriff's deputy responsibilities include keeping the peace and maintaining public order, traffic control, apprehending criminals, crime prevention and detention, counterterrorism, surveillance and VIP protection to name a few. Deputies are trained and expected to detain and arrest subjects using force if necessary.

In addition to law enforcement services, VTA contracts with a private security vendor, AlliedBarton, for unarmed and armed security. Security officers are uniformed and protect life and/or property by maintaining a high visibility presence to deter illegal and inappropriate actions, observing for signs of crime, fire or disorder; then taking action and reporting any

incidents to VTA's Operations Control Center (OCC) as appropriate. Only as a very last resort are private security personnel expected to use force to defend self or life of others.

All Security Officers – Duties and Responsibilities

- Customer service
- Customer safety
- Work stationary posts at the operating divisions
- Ride the trains, roving bus routes, between light rail stations and checking park and ride lots
- Work stationary posts at high-use transit centers
- Observe and report
- Private person arrest*

Armed Security Officers – Additional Duties and Responsibilities

- Patrol bus routes, the light rail line and transit centers
- Respond to calls for service from VTA's Operations Control Center
- Manage the CCTV program and provide a ready source of armed security as needed
- Provide revenue security at the Downtown Center and handle lost and found program
- Collect revenue from bus divisions and from ticket vending machines on light rail

Armed security officers can only use force which is reasonable given the facts and circumstances of the situation to protect them, or another person where there is an immediate threat of death or serious bodily harm or as ordered by law enforcement to assist.

*All security officers operate under the laws empowering private person arrest. A private person may arrest another person for any public offence (felony, misdemeanor, or infraction) that has been committed in his or her presence. When a private person makes an arrest, he or she is required to take the person before a magistrate or deliver the arrested person to a peace officer.

Training

The State of California requires that private security officers, armed and unarmed, must be trained in a 40 hour state-approved curriculum. Once the security officer completes the first 8 hours of training (powers of arrest, weapons of mass destruction and terrorism awareness), officers are qualified to receive a Guard Card which is issued by the Bureau of Security and Investigative Services (BSIS), a subsidiary of the California Department of Consumer Affairs. Security officers must have their Guard Card on their person at all times while on the job. Per state requirements, an additional 32 hours of training must be completed within the year; AlliedBarton requires this training be complete before officers are assigned to the VTA account.

Eight hours of additional training is required each year to maintain the Guard Card. In addition to the Guard Card, armed officers must carry on their person while on the job, their exposed firearms permit, issued by Bureau of Security and Investigative Services, and their baton and chemical agent permits, issued by a certified licensed instructor. Neither the Transit Patrol deputies nor VTA security personnel carry stun guns.

Transit Patrol Sheriff Deputy Training

All deputies must complete 753 hours of Peace Officers Standards Training (POST) curriculum which includes 64 different learning domains. Sheriff's deputies exceed these standards and complete 912 hours of academy training. Of the 912 hours, 72 hours are spent on firearms and chemical agent training which includes:

- Firearms Safety
- Basic Firearms Operation (semiautomatic pistols and magazines, revolvers, shotguns)
- Firearms Ammunitions (cartridge ammunition, shotgun ammunition, wound ballistics etc.)
- Firearms Cleaning and Maintenance
- Basic Shooting (drawing and holstering, firearms malfunctions, combat shooting skills, combat stress etc.)
- Chemical Agents

Armed Security Officer Training

Armed security officers receive a total of 66 hour of training which includes:

- 40 hours of Basic Security Officer Training (powers of arrest, report writing, dealing with aggressive behavior and emergency situations, defensive driver training, on the job training). This training is required of all security officers, armed and unarmed.
- 14 hours (8 Classroom/6 Range) of Bureau of Security and Investigative Services Firearms Training
    - Laws regarding possession and carrying firearms
    - Laws and standards regarding the use of deadly force
    - Avoidance of deadly force – de-escalation of force
    - Shooting incidents (civil and criminal liability)
    - Firearms Safety, weapons handling and shooting
    - Range Training and Firing
- 8 hours of baton training
- 4 hours of chemical agent training

Continual training includes proficiency training and the State of California semi-annual re-qualification training specifically with regard to use of force and weapons training. AlliedBarton exceeds this requirement and requires all armed officers to re-qualify every three months. Re-qualification includes firearms handling and review of powers of arrest and escalation of force policies.

Armed officers are supervised by AlliedBarton's command staff and field training officers are responsible for evaluating firearms safety and decision making abilities. Any concerns are brought to the attention of the Project Manager and dealt with immediately.

Contract security personnel and Transit Patrol deputies enjoy a good working relationship. Command armed security officers attend daily briefings with Transit Patrol deputies to provide our employees and customers with comprehensive system-wide security.

From: Board.Secretary
Sent: Thursday, March 12, 2009 5:33 PM
To: Board.Secretary
Cc: Burns, Michael
Subject: AlliedBarton Security

To VTA Board of Directors:

Attached in an announcement that AlliedBarton will officially begin security services for the VTA on March 14, 2009.

Deborah Harrington
Board Secretary
Santa Clara Valley Transportation Authority
408.321.5773

TO: All VTA Employees/Contractors
FROM: Mark Mahaffey,
Operations Manager, Facilities Maintenance and Security
DATE: March 10, 2009
SUBJECT: VTA's New Security Provider AlliedBarton Starts March 14, 2009

On February 5, 2009, the Board of Directors authorized the General Manager to enter into a three year contract with AlliedBarton Security Services, LP. to provide VTA with contract security services. VTA is changing its contract security provider from Securitas Security Services USA, Inc., to AlliedBarton, effective March 14, 2009.

AlliedBarton will provide uniformed unarmed security officers throughout the VTA for both stationary and roving positions. The unarmed officers will have the same uniform appearance as they do now which will consists of a white shirt and black pants. The only change to this uniform will be the AlliedBarton patch and the badge.

AlliedBarton will also provide uniformed armed security officers for patrol, lost and found, CCTV, and revenue collection. The armed officers will have a new uniform with a new appearance. The new uniform consists of a battleship gray shirt and black pants. They will also wear the AlliedBarton patch and badge. You can see a photo of the new uniforms on the second page of this memo.

Every effort has been made to retain the existing security officers whenever possible and I am happy to report that the vast majority have decided to move to AlliedBarton and stay with the VTA account. However, some security officers, both unarmed and armed, will be new to VTA. These new officers are currently attending Security Officer Basic Training conducted by AlliedBarton, actively working to fulfill any State of California requirements. They will also attend VTA orientation training and Security Awareness Training as soon as possible. To address rail safety concerns, selected security officers, unarmed supervision, and all armed officers will be required to attend Roadway Protection Training. Protective Services staff, Transit Patrol deputies and command staff will

continue to work closely with AlliedBarton to ensure this transition is as seamless as possible.
Our contract with the Santa Clara County Sheriff's Transit Patrol unit remains unchanged.
Please join me in welcoming AlliedBarton to the VTA team.

Photos of the uniforms are included in the attachment.

PROTECTIVE SERVICES NOTICE

TO: All VTA Employees/Contractors

FROM: Mark Mahaffey,
Operations Manager, Facilities Maintenance and Security

DATE: March 10, 2009

SUBJECT: VTA's New Security Provider AlliedBarton Starts March 14, 2009

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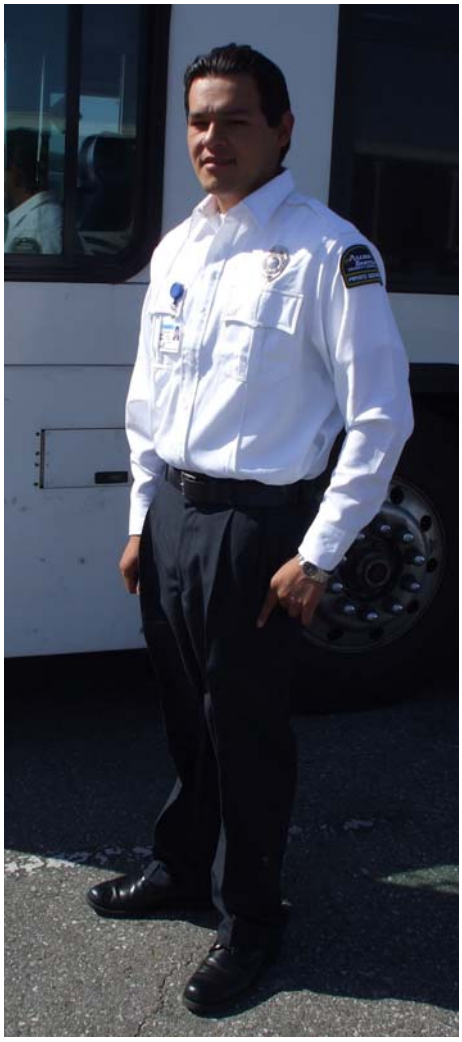
Protective Services staff, Transit Patrol deputies and command staff will continue to work closely with AlliedBarton to ensure this transition is as seamless as possible.

Our contract with the Santa Clara County Sheriff's Transit Patrol unit remains unchanged.

Please join me in welcoming AlliedBarton to the VTA team.

New AlliedBarton Security Officer Uniforms

Armed Officer



Unarmed Officer

From: Board.Secretary
Sent: Friday, March 13, 2009 4:50 PM
To: Board.Secretary
Cc: Burns, Michael
Subject: VTA Comments on Bay Area Governments Draft Projections 2009 Forecast

Attachments: Henry Gardner P2009 Comment Letter_signed.pdf

To VTA Board of Directors:

The attached letter from the VTA to the Association of Bay Area Governments regarding their Draft Projections 2009 Forecast is being provided for your information.

Deborah Harrington
Board Secretary
Santa Clara Valley Transportation Authority
408.321.5773

March 6, 2009

Mr. Henry Gardner, Executive Director
Association of Bay Area Governments
P.O. Box 2050
Oakland, CA 94604

Subject: **Review and Comment on Draft *Projections 2009* Forecast**

Dear Mr. Gardner:

Thank you for the opportunity provided to VTA to review and comment on ABAG's Draft *Projections 2009* forecast document. We appreciate the complexity and significant effort that these planning forecasts require and thank you and your staff for the level of communication and coordination afforded to VTA staff on this effort to date. I believe that you have received additional correspondence from other Santa Clara County jurisdictions and a more detailed technical correspondence from VTA staff, but I wanted to bring several issues to your attention from the perspective of VTA as the Congestion Management Agency for Santa Clara County. I hope that identification of these issue areas will serve as starting points for continued dialogue between our agencies in order to mutually resolve the concerns within *Projections 2009.*

Development Potential for Job Growth in Santa Clara County is Underestimated

We believe that proposed forecast for job growth in Santa Clara County as a share of regional job growth is underestimated because of the active development of General Plan and associated development policies by local jurisdictions in Santa Clara County to increase the supply of jobs. Over the past decade Santa Clara County cities and agencies, through locally adopted land use polices, have been making significant and meaningful progress toward implementing new development patterns which intensify development and focus growth along major transit corridors.

Outstanding examples of the intensification of the land use include San Jose's North San Jose development policy that transforms conventional low-rise office parks into 27 million square feet of office and commercial development and 33,000 new housing units along a roughly 1 mile segment of North First Street in the heart of Silicon Valley's job center. The City of San Jose is currently in the process of updating the City's General Plan, and one of the policies being actively developed is to allow for increased emphasis on job creation relative to population growth. The City of Milpitas's Downtown Specific Plan is also notable, focusing both jobs and household growth around a BART and VTA Light Rail Transit intermodal station.

The recent 2008 elections that resulted in approvals of the BART to Silicon Valley Project and High Speed Rail Bond have propelled Santa Clara County and specifically San Jose's Diridon Station area to a top tier transit center with the potential for over 1000 train and bus arrivals per day in future years. In addition to the newly approved rail projects, Santa Clara County has made significant local investments in light rail, BART, Caltrain, ACE/Capitol, and Bus Rapid Transit which support locations proposed for focused development. Yet the job growth allocations prepared by ABAG appear to assume that these areas will not be capturing the job growth allocated within the county.

Request for Complete and Timely Data Used in *Projections 2009*

In order to fully complete our review and analysis of the Projections 2009 results, we are requesting the data and assumptions that were used by ABAG staff to development the forecasts be provided for review. *Projections 2009* is a critically important information foundation on which significant public policy is based and therefore the information data used to develop that foundation must be made available for review before a final decision is made on the forecasts. The core data that establishes the forecasts must be based on sound logic, established principles, detailed analysis, proven methodology and include high degree of technical scrutiny, discussion and consensus among the parties involved. To date, VTA staff have not been provided with key information and data needed to fully evaluate the proposed forecasts. Our request is to receive the following data for review and discussion. All of these data requests have been made previously to ABAG staff on numerous occasions.

<u>Census Tract Allocations</u>

Our review of census tract allocations of previous ABAG Projections uncovered serious discrepancies with what local jurisdictions estimated were reasonable allocations of growth and it is important we have a chance to examine data at this level of detail and have the opportunity for meaningful input to changes for ABAG Projections 2009.

<u>Employed Resident Assumptions</u>

We are requesting complete and comprehensive employed resident assumption data at the county level for each county in the ABAG region for the horizon years 2000 to 2035. In addition to using this information for Projections 2009, VTA uses this as a critical input to our countywide travel demand models and we have raised these concerns with the previous Projections 2007 employed resident estimates and never received a satisfactory explanation as to how they were developed. This issue was brought to ABAG staff attention last year and we are not further along in having our concerns adequately addressed. The preliminary data sent to us by ABAG on February 3, 2009 was incomplete, difficult to follow and did not reflect the Third Draft of the Focused Future Scenario. However, the trends illuminated by the data that was sent showed alarming forecasts of commute patterns that were illogical at both the regional level and for each county. This reinforces the need for us to have the data with adequate time for review well before adoption of final control totals by the ABAG Executive Board.

VTA Leadership in Guiding Land Use Decisions

VTA has been a very proactive leader in developing guidance documents for intensified development patterns and multi-modal design standards for use by Santa Clara County jurisdictions which work towards the transformation of the Silicon Valley into a more compact urban form. For example, the Community Design and Transportation (CDT) Program, a program for integrating transportation improvements and land use designs, was developed in partnership with the 16 local jurisdictions in the county, business and development community. The CDT Program and guidance documents were endorsed by every jurisdiction In Santa Clara County in 2003, and are in use by planning and public works officials in their everyday review and approval of development applications and zoning/general plan medications.

A guiding principle set forth in the CDT Program is the creation of the VTA's Cores, Corridors and Station Areas which maps areas of proposed focused growth to urban cores and major transit lines adopted by each of the sixteen jurisdictions in Santa Clara County in 2003. VTA provides incentive for improvements in these focused areas through transportation grants provided to local agencies for multi-modal transportation improvements supporting new compact developments. This program and strategy has been a model for many other areas – including the ABAG Focused Growth effort. We would ask that when developing the Focused Future Scenarios of *Projections 2009,* ABAG should also consider be using as good examples many of the policies developed and embraced by Santa Clara County jurisdictions. We also ask that subsequent policy development acknowledge these types of already established efforts and work to support these local programs.

In summary, while overall we agree with and see value in the use of a "vision" or policy-based forecast as a valid means for helping to develop long-range growth forecasts, we feel this process needs to be rational, cooperative and defensible. In a policy – or vision – based approach to forecasting growth we feel that Santa Clara County is well positioned to be a leader in job growth for the region. The local investments in transit, the local policies being developed, the availability of vacant, under-utilized and re-developable land, and the potential for Silicon Valley cities to attract green-technology and high-technology jobs show that compared with other counties Santa Clara County jurisdictions already are and have even more potential to grow in diverse and sustainable ways, balancing both job and housing growth over the long-term. The significant shift of jobs out of Santa Clara County and into San Francisco and other counties appears counter to the sustainable growth objectives promoted by ABAG. We believe there are serious disconnects between what is actually being planned in Santa Clara County and what ABAG assumes will be planned, and this disconnect needs reconciliation before we can support the ABAG Projections 2009 data sets.

We appreciate the efforts of ABAG staff in being open to our concerns, however much remains to be discussed, reviewed, and modified before we will feel comfortable with the ABAG Projections 2009 results.

To recap our requests:

- We believe the development potential for Santa Clara County is underestimated, particularly for jobs up to and including the 2035 horizon year, and based on historical, planned growth and local visions for growth, will continue to account for roughly 30% of all jobs in the Bay Area;
- Increased levels of job growth need to be allocated to jurisdictions with rail and BRT transit stations and high-frequency transit corridors;
- Census tract level estimates of households and jobs needs to be provided as soon as possible in order to complete our review and comment,
- Complete and updated employed resident estimates need to be provided, for each county in the region at a minimum as soon as possible in order to complete our review and comment, and
- ABAG consider the significant land use changes represented in local land use planning when developing policy based forecast assumptions.

We look forward to further discussions and the resolution of our issues. Please feel free to contact me, or my Deputy Director of Planning, Chris Augenstein at (408) 321-7093 if you have questions. In the meantime we will continue working with your staff to resolve these issues prior to the ABAG Board's action on this item.

Sincerely,

John H. Ristow
Chief CMA Officer

c:

Paul Fassinger, ABAG
Santa Clara County ABAG Board Members
Santa Clara County MTC commissioners
VTA Board Members