



BOARD OF DIRECTORS MEETING

DECEMBER 14, 2006

MINUTES

1. CALL TO ORDER

The Regular Meeting of the Santa Clara Valley Transportation Authority's (VTA) Board of Directors was called to order by Chairperson Chavez at 9:13 a.m. in the Board of Supervisors' Chambers, County Government Center, 70 West Hedding Street, San Jose, California.

2. ROLL CALL

Members Present

Nora Campos
Cindy Chavez, Chairperson
Dean Chu, Vice Chairperson
David Cortese
Don Gage
Breene Kerr
Liz Kniss
Madison Nguyen
Greg Perry
Dolly Sandoval
Greg Sellers
Forrest Williams

Members Absent

None

Alternates Present

Peter McHugh, Alternate

Alternates Absent

Al Pinheiro, Alternate

Ex-Officio Members Present

John McLemore, Ex-Officio

Ex-Officio Members Absent

None

* Alternates do not serve unless participating as a Member.

A quorum was present.

Chairperson Chavez requested Agenda Item #5., Orders of the Day, to be heard next.

The Agenda was taken Out of Order.

5. ORDERS OF THE DAY

Chairperson Chavez highlighted the following changes to the Agenda:

1. Move **Agenda Item #3.**, Adjourn to Closed Session be heard at the end of the Agenda to allow for public presentation to occur prior to Closed Session; and move **Agenda Items #23 through #30** to be heard at the beginning of the Regular Agenda.
2. Consider **Agenda Items #23 through #28** as a single Item because all of these items are related to advancing the BART project portion of the Measure A program including:
 - **Agenda Item #23.**, Authorize the General Manager to execute a contract amendment with the HMM/Bechtel Joint Venture in an amount not to exceed \$43.3 million, increasing the total contract amount to \$94.5 million, and extending the contract term to December 31, 2008, for project-wide support services, and design and engineering services necessary to complete 65 percent design development of the tunnel alignment portions of the Silicon Valley Rapid Transit Project. Also, authorize an adjustment to the current 2000 Measure A Capital Budget for fiscal year 2007 as necessary to commit \$8.8 million for anticipated engineering costs through June 2007;
 - **Agenda Item #24.**, Authorize the General Manager to execute a contract amendment with the HMM/Bechtel Joint Venture in an amount not to exceed \$43.3 million, increasing the total contract amount to \$94.5 million, and extending the contract term to December 31, 2008, for project-wide support services, and design and engineering services necessary to complete 65 percent design development of the tunnel alignment portions of the Silicon Valley Rapid Transit Project. Also, authorize an adjustment to the current 2000 Measure A Capital Budget for fiscal year 2007 as necessary to commit \$8.8 million for anticipated engineering costs through June 2007;
 - **Agenda Item #25.**, Authorize the General Manager to execute a contract amendment with STV Incorporated in an amount not to exceed \$9.5 million, increasing the total contract amount to \$20.5 million, and extending the contract term to June 30, 2008, for design and engineering services resulting in a set of documents that will be used to put together a Design-Build contract package for the construction of the Yard and Shops facilities of the Silicon Valley Rapid Transit Project. Also, authorize an adjustment to the current 2000 Measure A Capital Budget for fiscal year 2007 as necessary to commit \$3.3 million for anticipated engineering costs through June 2007;

- **Agenda Item #26.**, Authorize the General Manager to execute a contract amendment with Earth Tech, Inc. in an amount not to exceed \$22.0 million, increasing the total contract amount to \$38.9 million, and extending the contract term to December 31, 2008, for design and engineering services necessary to complete 65 percent design development of the passenger station facilities for the Silicon Valley Rapid Transit Project. Also, authorize an adjustment to the current 2000 Measure A Capital Budget for fiscal year 2007 as necessary to commit \$5.7 million for anticipated engineering costs through June 2007;
 - **Agenda Item #27.**, Authorize the General Manager to execute a contract amendment with the PGH Wong Engineering, Inc. and Parsons Brinkerhoff Quade & Douglas, Inc. (Wong/PB) Joint Venture in an amount not to exceed \$15.0 million, increasing the total contract amount to \$29.22 million, and extending the contract term to December 31, 2008, for design and engineering services necessary to complete 65 percent design development of the systems components of the Silicon Valley Rapid Transit Project. Also, authorize an adjustment to the current 2000 Measure A Capital Budget for fiscal year 2007 as necessary to commit \$2.5 million for anticipated engineering costs through June 2007; and
 - **Agenda Item #28.**, Authorize the General Manager to execute a contract amendment with Booz Allen Hamilton, Inc. in an amount not to exceed \$9.0 million, increasing the total contract amount to \$14.0 million, and extending the contract term to December 31, 2008, for design integration engineering services necessary to complete 65 percent design development of the design integration requirements of the Silicon Valley Rapid Transit Project. Also, authorize an adjustment to the current 2000 Measure A Capital Budget for fiscal year 2007 as necessary to commit \$2.0 million for anticipated engineering costs through June 2007 as one item because they are all related items that advances the BART Project portion of the 2000 Measure A Program be heard as one item.
3. Consider Agenda Items 29 through 30 as a single item because they are related to the advancement the Caltrain including:
- **Agenda Item #29.**, Authorize the General Manager to execute a contract amendment with DMJM+HARRIS for additional design services on the Caltrain South County Capacity Improvement Project in an amount not to exceed \$3.96 million for a new contract amount of \$7.96 million, and to extend the contract term through August 2, 2008; and

- **Agenda Item #30.**, Authorize the General Manager to execute an Agreement in the amount of \$6.5 million for the relocation of Verizon/MCI, Qwest and Sprint Company Facilities required for the Caltrain South County Capacity Improvement Program as one item because they are related and advance the Caltrain Project portion of the 2000 Measure A Program be heard as one item.

M/S/C (Kniss/Sandoval) to accept the Orders of the Day.

Board Member Gage stated he would like to make a comment on **Agenda Item #20.**, Approve the project list to program \$5,843,440 in Community Design & Transportation Program Capital Grants, without removing the item from the Consent Agenda.

6. ELECTION OF CHAIRPERSON AND VICE CHAIRPERSON FOR A TERM EXTENDING FROM JANUARY 2007 THROUGH DECEMBER 2007

Chairperson Chavez reported that at the November 2, 2006 Board Meeting, the Board of Directors accepted the report from the Nominating Committee. The Committee proposed Dean Chu as Chairperson and Liz Kniss as Vice Chairperson. Chairperson Chavez asked if there are any other nominations from the Board of Directors. There were no further nominations from the Board of Directors.

M/S/C (Gage/Sandoval) to elect for the 2007 Board of Directors: Chairperson, Dean Chu and Vice Chairperson, Liz Kniss, for a term of January 1, 2007 through December 31, 2007.

7. AWARDS AND COMMENDATIONS

A. Employees of the Month for December 2006

Chairperson Chavez presented an award to Sheri Fisher, Office Specialist II, River Oaks Administration; Maurice Beard, Coach Operator/Line Instructor, Cerone Division Operations; Luke Travers, Utility Worker, River Oaks Maintenance as Employees of the Month for December and Erick Walton, Parts Supervisor, as Supervisor of the Quarter.

B. Resolution of Commendation No. 06.12.21 for Senator Liz Figueroa.

M/S/C (Williams/Campos) to adopt the Resolution of Commendation No. 06.12.21 for Senator Liz Figueroa.

C. Resolution of Commendation No. 06.12.22 for Assembly Member Rebecca Cohn.

Vice Chairperson Chu noted that VTA owes Assembly Member Cohn a huge debt of gratitude for her strong leadership in the area of transportation and for her many years of dedicated public service.

M/S/C (Williams/Campos) to adopt the Resolution of Commendation No. 06.12.22 for Assembly Member Rebecca Cohn.

D. Resolution of Commendation No. 06.12.23 for Assembly Member Simon Salinas.

M/S/C (Williams/Campos) to adopt the Resolution of Commendation No. 06.12.23 for Assembly Member Simon Salinas.

E. Resolutions of Commendation for Outgoing Board Members.

Vice Chairperson Chu recognized, thanked, and presented a Resolution of Commendation to Board Member Perry.

M/S/C (Gage/Sandoval) to adopt a Resolution of Commendation for Greg Perry. Board Member Kniss recognized 2006 VTA Board Chairperson Cindy Chavez for her many years of dedicated public service on the Board of Directors and as VTA Board Chair in 2006. Board Member Kniss read aloud the Resolution of Commendation for Cindy Chavez.

M/S/C (Williams/Sandoval) to adopt a Resolution of Commendation for Cindy Chavez.

Vice Chairperson Chu presented Chairperson Chavez a token of appreciation from the Committee for Transit Accessibility (CTA) for the support and encouragement that she has provided the Committee in the past years.

Chairperson Chavez expressed her appreciation for the acknowledgements and thanked fellow Board Members and VTA staff for a great year.

Chairperson Chavez acknowledged and thanked former Board Members Dennis Kennedy and Jamie Matthews for their important contributions to VTA throughout the years and extended special thanks for their time and hard work.

M/S/C (Gage/Campos) to adopt a Resolution of Commendation for Dennis Kennedy.

M/S/C (Gage/Campos) to adopt a Resolution of Commendation for Jamie Matthews.

8. REPORT FROM THE GENERAL MANAGER

Michael T. Burns, General Manager expressed his thanks and appreciation to Senator Figueroa and Assembly Members Rebecca Cohn and Simon Salinas for their leadership in advocating for state funding for highway and public transit projects in Santa Clara County. Mr. Burns thanked outgoing Board Members and offered a special thank you to Chairperson Cindy Chavez for her eight years of service on the Board and for her significant contributions to VTA and improving transportation in the region.

Mr. Burns provided an update on the Route 152 B2 Project. The project is scheduled to open three months ahead of schedule, is under budget, and is the final project of the Route 152 Improvements in the 1996 Measure B Program.

Mr. Burns reported that the San Jose Convention Center light rail station opened on December 2, 2006. The new platform will provide level boarding of light rail trains. The Santa Clara Station will close in January 2007 for retrofit and will reopen in May 2007. The overall project is ahead of schedule and under budget.

Mr. Burns advised that Caltrans forwarded the Transportation Improvement Program (TIP) amendment for the 152/156 Interchange Project to the Federal Highway Administration (FHWA) the week of December 4, 2006. Advertisement of the project is expected to occur before Christmas, with an anticipated contract approval action by the Board of Directors in March 2007.

Beginning November 25, 2006, and continuing through the end of the year, VTA is operating the Historic Trolley on Saturdays between 3:00 P.M. and 10:00 P.M., weather permitting, through Downtown San Jose. The route begins at the Diridon Station, runs through Downtown San Jose and ends at the Civic Center. This service coincides with the City of San Jose's Annual Christmas in the Park Display.

On Saturday December 9, 2006, VTA partnered with Toys For Tots, the Marine Corps, and KBAY Radio for the 11th Annual Stuff the Bus Toy Drive. A VTA bus was staged next to Christmas in the Park and members of the public donated toys to stuff the bus. The drive was so successful this year that a second bus was brought in to meet the demand.

VTA will offer free New Year's Eve service on all VTA buses and light rail lines beginning at 7:00 P.M. and concluding at 3:59 a.m. VTA is promoting this free service through press releases, Take One on the VTA vehicles, and VTA's website. VTA will coordinate its to connect with other regional services such as BART and Caltrain who are also extending their services on New Year's Eve to New Year's Day.

The mandatory mobility device securement policy will take effect on January 1, 2007. Mr. Burns provided a historical review of the development of the policy stating that on January 2005, VTA and CTA established a Bus Mobility Device and Securement Policy Task Force. The Task Force worked very closely with the CTA throughout the entire process. After six months of meetings and discussions, the Task Force reached a consensus to recommend support of the mandatory mobility device securement policy.

The CTA, at its August 2005 Meeting, voted to recommend adoption of the policy and require that the following four conditions be met: a) that VTA implement a public awareness campaign; b) that buses be retrofitted with a standardized securement system; 3) that all Operators and Front Line Employees receive sufficient training, and 4) that the Task Force remain active for at least one year to monitor the policy change.

Mr. Burns reported that Speaker-elect Nancy Pelosi announced that Congress Member Honda will be joining the House Appropriations Committee, and Congress Member-elect Jerry McNerny will be joining the House Transportation and Infrastructure Committee. Both of these appointments will assist VTA in advancing projects.

Chairperson Chavez introduced newly appointed Board Member Greg Sellers representing Cities Group 4 from the City of Morgan Hill. Board Member Sellers thanked Chairperson Chavez for the introduction and stated he looks forward to the serving on the Board of Directors.

9. Public Presentations

John Carlson, VTA Employee and AFSCME President, expressed concern regarding contract negotiations and separating the bargaining unit into three groups.

John Roland, VTA Employee and AFSCME Vice President, expressed concern regarding contract negotiations and breaking up the bargaining unit into three groups. Mr. Carlson stated as a taxpayer he questions the amount of money that will be spent to fight a losing battle when VTA has bigger fish to fry such as how to fund BART and how to secure financial stability for VTA in the future.

Linda Dittes, AFSCME Staff Person, expressed concern regarding breaking up the bargaining unit into three. Ms. Dittes is hopeful that AFSCME will not have to go to the Department of Industrial Relations (DIR) with this issue.

Ross Signorino, Interested Citizen, expressed his appreciation to outgoing Board Members and thanked Chairperson Chavez for her dedication.

Noel Tebo, Modern Transit Society, offered a new general perspective of potential transit investment projects for the future. He encouraged the Board Members to ask questions.

Mark Brodsky, Interested Citizen, expressed concern that the current plan for BART is obsolete and is a waste of money because it does not go to where people work, it does not go where cities plan to build, and does not go to San Jose Mineta Airport.

Martin Bishop, Interested Citizen, referenced his letter to the Board of Directors dated December 14, 2006 regarding mandatory four-way securement of mobility devices. Chairperson Chavez asked Jim Unites to meet with Mr. Bishop regarding his concerns.

Member Cortese expressed concern regarding the County facilities and requested and recommended remote microphones are made available for people with disabilities.

Member Kniss advised that Santa Clara County Supervisors have better access during their regular meetings and recommended asking County staff make themselves available at VTA meetings to assist with the setup of microphones.

Chairperson Chavez recommended discussion of the microphone set up to take place under **Agenda Item # 33.**, Items of Concern and Referral to Administration.

10. Policy Advisory Committee (PAC) Chairperson's Report

Chairperson Chavez introduced PAC Chairperson, Steve Glickman and thanked him for his leadership. Mr. Glickman reported that at their Meeting of November 9, 2006, the Policy Advisory Committee:

- Reviewed the project list for the Community Design & Transportation Program Capital Grants Program. On a vote of 8 ayes to 0 noes to 1 abstention, the PAC voted to recommend that the Board of Directors approve the top five prioritized projects on the list and to provide the City of Gilroy the opportunity to raise their scoring to 50 points. If the City of Gilroy is successful, the PAC recommends moving the project to the prioritized list.
- Appointed Members Kishimoto, Moylan, and Wang to the nominating subcommittee to identify the members interested in serving as the Chairperson and Vice Chairperson for 2007.
- Reviewed and provided comments to staff regarding the following:
 - Proposal to advance the 2000 Measure A Projects
 - The Market Segmentation Analysis
 - Draft Service Design Guidelines
 - Joint Development Developer Selection Criteria

The next meeting is scheduled for December 14, 2006. The meeting will include a presentation from Rod Diridon on Transportation in Santa Clara County and the Caltrain Capital Needs Study Subcommittee's Recommended List of Caltrain Improvement Projects.

CONSENT AGENDA

Chairperson Chavez stated Members of the Public requested the following items be removed from the Consent Agenda and placed on the Regular Agenda: **Agenda Item #13.**, 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 and **Agenda Item #14.**, Authorize the General Manager to implement a “No Smoking” policy at VTA bus shelters, light rail platforms and transit center platforms.

M/S/C (Williams/Kniss) to approve the removal from the Consent Agenda: **Agenda Item #13.**, 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; and **Agenda Item #14.**, Authorize the General Manager to implement a “No Smoking” policy at VTA bus shelters, light rail platforms and transit center platforms, to be placed on the Regular Agenda.

11. Minutes of the Regular Board Meeting of November 2, 2006

M/S/C (Williams/Kniss) to approve the Minutes of the Regular Board Meeting of November 2, 2006.

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| ADMINISTRATION AND FINANCE COMMITTEE |
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12. Reappointments to the Committee for Transit Accessibility (CTA)

M/S/C (Williams/Kniss) to approve the Reappointments of David Grant, Troy Hernandez, Majorie Jensen, David Julian, Jeannette Law, Aaron Morrow, Barbara Rhodes, and Thomas Slack to the Committee for Transit Accessibility (CTA) for a two-year term.

13. (Removed from the Consent Agenda and placed on the Regular Agenda.)

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.

14. (Removed from the Consent Agenda and placed on the Regular Agenda.)

Authorize the General Manager to implement a “No Smoking” policy at VTA bus shelters, light rail platforms and transit center platforms.

15. Technical Advisory Committee Recommendations on Playing a More Vital Role in Interacting With and Advising the Board of Directors

M/S/C (Williams/Kniss) 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.

16. Program and Construction Management Services VTA Capital Projects

M/S/C (Williams/Kniss) 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. Further, authorize the General Manager, for reasons of cost efficiencies, to terminate for convenience the Valley Highway Associates contract for Program and Construction Management Services for the 1996 Measure B Highway and VTP 2020 Programs on January 1, 2007, and rollover an estimated \$4.2 million in remaining budget to the new SBTA contract.

17. Santa Clara Valley Water District Cooperative Agreement for the Combined Design of Lower Berryessa Creek Flood Protection and Union Pacific Track Relocation Improvements

M/S/C (Williams/Kniss) 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.

18. 1996 Measure B Transportation Improvement Program - Route 17 Highway Planting Construction Contract Award

M/S/C (Williams/Kniss) 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.

19. 1996 Measure B Transportation Improvement Program (MBTIP) Executive Summary of the Semi-Annual Report for December 2006

M/S/C (Williams/Kniss) 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.

CONGESTION MANAGEMENT PROGRAM AND PLANNING COMMITTEE

20. Community Design & Transportation Program Capital Grants

Member Gage expressed his appreciation that staff is going to review the project list in 60 days.

M/S/C (Williams/Kniss) to approve the project list to program \$5,843,440 in Community Design & Transportation Program Capital Grants.

ADMINISTRATION AND FINANCE COMMITTEE (continued)

12. Reappointments to the Committee for Transit Accessibility (CTA)

Chairperson Chavez acknowledged the hard work of the Committee and offered a special thank you to Committee Members Morrow, Rhodes, and Grant for their many years of service on the CTA.

M/S/C (Williams/Kniss) to approve the Reappointments of David Grant, Troy Hernandez, Marjorie Jensen, David Julian, Jeannette Law, Aaron Morrow, Barbara Rhodes, and Thomas Slack to the Committee for Transit Accessibility (CTA) for a two-year term.

TRANSIT PLANNING AND OPERATIONS COMMITTEE

There were no items submitted for the Consent Agenda by the Transit Planning and Operations Committee.

REGULAR AGENDA

13. State Legislative Advocacy Contract

Margaret Okuzumi, BayRail Alliance, conveyed concerns from Eugene Bradley of the VTA Riders Union, that the Staff Memorandum to the Board of Directors did not provide enough information regarding proposals received from other firms and advocacy history. Chairperson Chavez requested that staff provide a response.

Mr. Evans reported that four firms submitted proposals in response to VTA's Request for Proposals (RFPs): 1) Capital Representation Group, Inc.; 2) Emanuels Jones & Assoc. (primary bidder and Rice/Englander & Assoc (subcontractor); 3) Smith, Watts & Company; and 4) TMG Government and Public Relations.

The firm of Emanuels Jones & Associates and Rice/Englander & Associates did not have the same level of expertise or experience with transportation issues at the state level as Smith, Watts & Company. The other two firms, Capital Representation, Inc. and TMG Government and Public Relations were not chosen because both of those teams are considered mixed transportation firms. Mr. Evans explained that Capital Representation is a smaller organization and already represents Los Angeles County Metropolitan Transportation Authority (MTA) so the level of support would not be readily available for the needs of VTA.

Mr. Evans stated that the Review Panel unanimously concluded that Smith Watts & Company is the best qualified to perform the work scope described in the RFP and is recommending that this firm be selected because of the firm's solid track record in representing VTA's interests in Sacramento over the past eleven years. Mr. Evans highlighted a 27-page matrix that lists the 95 VTA sponsored bills that were enacted into law with the assistance of Smith, Watts & Company. Member Perry requested a copy of the above-mentioned 27-page matrix.

M/S/C (Gage/Williams) 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.

And further, to direct staff to work with the advocacy firm to prepare a strategic plan to be brought back to the Administration & Finance Committee and the Board of Directors that will allow local elected officials to weigh in on the issues and to garner regional support.

14. Implementation of No Smoking Policy at VTA Bus Shelters, Light Rail Platforms and Transit Center Platforms

Aaron Morrow, CTA Chairperson, addressed the Board of Directors stating that while he supports the No Smoking Policy; however, he believes that the policy is merely cosmetic and does not understand how the new policy will be implemented. Mr. Morrow applauded the Citizens Advisory Committee (CAC) for bringing this issue forward. Mr. Morrow thanked Chairperson Chavez for her leadership in advocating on behalf of accessibility and paratransit issues during her many years of service on the VTA Board of Directors.

M/S/C (Gage/Campos) to authorize the General Manager to implement a “No Smoking” policy at VTA bus shelters, light rail platforms and transit center platforms.

23. Surface Guideway Design and Engineering Services Silicon Valley Rapid Transit Project

Member Sandoval introduced Agenda Items #23 through #28 stating that these items are six design consultant contract amendments that would advance design to 65% for the BART Extension to Silicon Valley. Member Sandoval reported that the TP&O Committee and the other Standing Committees that met in November received a detailed report on these items. During these meetings, a number of questions were raised and staff has been asked to respond to those questions.

Mr. Burns reported that the recommended action is to approve six Design Consultant Amendments that would advance design to 65% for the BART Extension to Silicon Valley. Approval of these items would advance 2000 Measure A projects as defined in the Expenditure Plan that was adopted by the Board of Directors in June 2006. The contract amendments are specific to the BART and the Caltrain Double Tracking project, but they are not to the exclusion of the other Measure A projects. Staff is continuing to work on the entire Measure A program.

As part of the Measure A program, VTA has worked to advance the Zero Emission Bus Program, introduce the 522 Rapid Bus Service, advance the design on the Capitol Expressway Light Rail Project, continue to work through on Downtown East Valley issues, and purchasing low floor vehicles.

Mr. Burns provided a Power Point Presentation entitled, “BART Extension to Milpitas, San Jose & Santa Clara.”

Mr. Burns summarized the proposed design contract amendments as follows:

| | FY 07 Mid-Year | Total Amend |
|--|-------------------|----------------|
| <u>Consultant Team</u> | <u>(000)</u> | <u>(000)</u> |
| HNTB Corporation | \$10.6 | 36.6 |
| HMM/Bechtel JV (Tunnel/PM) | 8.8 | 43.3 |
| STV, Inc. (yard & shops) | 3.3 | 9.5 |
| EarthTech, Inc. (stations) | 5.7 | 22.0 |
| Wong/PB JV (systems) | 2.5 | 15.0 |
| Booz Allen Hamilton, Inc. (design integration) | <u>2.0</u> | <u>9.0</u> |
| TOTAL | \$32.9 | \$135.4 |

Mr. Burns reviewed the questions received at the November Standing Committees and provided responses as follows:

1. How much design work is necessary to support the FTA New Starts Process? Mr. Burns reported that FTA encourages new starts applicants to develop design to a sufficient level before negotiating a full-funding Grant Agreement (FFGA). It is in VTA's best interest to complete all design work to a 65% level to allow for the most accurate estimates and project detail possible going into FFGA negotiations.
2. What work products and value does VTA get for the investment of additional design work and VTA labor on the project if the project were not to proceed two years from now? Mr. Burns indicated that VTA will fulfill its contractual obligations to Union Pacific to relocate the railroad onto parallel tracts and clear the VTA corridor for BART. The investment of additional design provides more detail in support of the federal new starts funding process and has a good shelf life and value if the project were to be delayed.
3. What is the cost of delaying or slowing down all work or parts of these contracts in 2005 dollars? Mr. Burns reported that the estimated cost of a one-year delay is \$109 million in 2005 dollars and \$165 million in Year of Expenditure dollars. The estimated operating subsidy deferred is \$46 million in 2005 dollars and \$69 million in Year of Expenditure dollars. The approximate yearly net cost of delay in Year of Expenditure dollars is the difference (e.g.: \$165 - \$69 = \$96 million/year).
4. What is the cost of delaying or slowing down all work or parts of these contracts in 2005 dollars? Mr. Burns reported that slowing down portions of the project and advancing others is not recommended and runs the risk of having incomplete estimates and unanswered questions for pending FFGA negotiations.

5. What is the possibility of leveraging 2000 Measure A funds with state and federal grants? Mr. Burns responded that VTA has received \$45 million in funding from the state for Conceptual and Environmental work. VTA has a LONP from the state for the PE phase and plans to submit a TCRP grant allocation request to the CTC at its February 1 meeting to be reimbursed for approximately \$151 million in actual cost pursuant to the terms of the LONP. In addition, VTA is requesting a TCRP grant allocation request at the same CTC meeting to cover the costs of the entire 65% design phase over the next two years. If successful, these state grants will improve 2000 Measure A cash flow on the BART project over the next two years.

Mr. Burns reported that staff recommends that the Board of Directors approve all six contract amendments and increase VTA's FY 2007 by \$32.9 million. The \$102.5 million balance of consultant work will be included for approval in next year's biennial budget for FY 2008 & FY 2009. This work will advance the project to a defined "hold point" to allow the Board to evaluate results and receive updated information regarding project progress.

Board Member Gage asked if VTA is considering other alternative uses of the purchased right of way. Mr. Burns responded that no other alternatives are under consideration because the range of alternatives is significant. Staff will study alternatives if the Board requests such an action.

Board Member Perry asked how the \$165 million was computed. Mr. Collins explained that the amount represents the base cost of the project in 2005 dollars escalated across the current optimum schedule and applying a 3.5 percent escalation factor on the unspent balance of the project.

Member Williams stressed the importance of moving forward with the proposed actions to advance the 2000 Measure A program.

Member Sandoval stressed the importance of advancing the BART project to meet the 65 percent threshold.

Member Kerr stated that he supports the staff recommendation because these actions will assist the VTA in obtaining grant reimbursements from the State of California for the expenditures. He noted that if VTA does not move forward with the actions as proposed, VTA would not be eligible for those reimbursements. Mr. Burns stated that Member Kerr's comments are correct, and there is hope that all of the grant reimbursements would be received.

Vice Chairperson Chu asked if the vote on this item were deferred, would the Caltrain Electrification project be accelerated. Mr. Burns responded that Caltrain Electrification would not be accelerated.

Vice-Chairperson Chu asked, if the VTA moves forward with the recommended actions and if VTA decides not to move forward with the BART project, would VTA be putting

other projects in the Measure A program in jeopardy? Mr. Burns indicated that no other Measure A project will be jeopardized by the proposed actions being considered by the Board this morning.

Pete McHugh, Santa Clara County Board of Supervisor, stated he supports Items 23 to 28. He stated that this project represents an essential investment in the future of Santa Clara County. Supervisor McHugh stressed that VTA is obligated to provide for the future and that this is the most viable alternative.

Kevin Kittila, Interested Citizen, thanked Cindy Chavez for all of the time she has put into the Board during her term. Mr. Kittila encourage the Board of Directors not to move forward with the BART Project.

Nick Perry, VTA Rider's Union, recommended that funding not be allocated for BART but rather allocated to other transit projects such as Caltrain Metro East or BART built in phases.

Mr. Morrow expressed support for moving forward with the BART project.

Ms. Okuzumi expressed concern that VTA does not have the funding to operate BART once it is built and urged the Board Members to reject Agenda Items # 23 through 28.

Rob Means, Interested Citizen, expressed concern that many projects will not be funded if BART is fully funded. Mr. Means recommended VTA use modern transit technology. Mr. Means stated he was surprised that there were no VTA representatives present at the Modern Transit Conference in the City of Santa Cruz.

Mr. Glickman expressed his support for the BART Project.

Ross Signorino, Interested Citizen, stated that VTA should design a plan around BART. This plan should include a feeder system and illustrate to the public that this project is a practical alternative.

Doug McNeal, Silicon Valley Taxpayer's Association, recommended the Board of Directors not approve approving Agenda Items 23 through 28. Mr. McNeal expressed concern regarding security issues with BART to San Jose.

Board Member Campos left the meeting.

Board Member Kniss expressed concern regarding the future cost of building BART and stated that she would not support Agenda Items 23 through 28.

Vice Chairperson Chu and Board Member Sandoval stated they would support the recommended actions for Agenda Items 23 through 28.

Board Member Perry requested that Agenda Item 23 through 28 be deferred to provide staff the opportunity to present the Board of Directors with an evaluation of the list of alternatives for the use of the right of way.

Chairperson Chavez stated the Board of Directors has been working on this issue for a long time. Chairperson Chavez stated that BART is regional project. She requested the Board of Directors be mindful of comparing VTA to other cities since VTA has the reputation for being on time, under budget and has a very high public safety record. Chairperson Chavez stressed that the need is significant and the County of Santa Clara needs to look at various ways of moving people from one place to another other than BART and light rail. Chairperson Chavez stated that voting for Agenda Items 23 through 28 is a vote for the future.

M/S/C (Sandoval/Williams) on a vote of 9 ayes, to 2 noes to 0 abstentions to authorize the General Manager to execute a contract amendment with HNTB Corporation in an amount not to exceed a total of \$36.6 million for a new total contract amount of \$60.5 million and extend the contract term to December 31, 2008, for design and engineering services necessary to complete 65 percent design development of the surface guideway alignment portions of the Silicon Valley Rapid Transit Project. Also, authorized an adjustment to the current 2000 Measure A Capital Budget for fiscal year 2007 as necessary to commit \$10.6 million for anticipated engineering costs through June 2007. **Board Members Kniss and Perry opposed.**

24. **Tunnel Guideway Design and Engineering Services Silicon Valley Rapid Transit Project**

M/S/C (Gage/Williams) on a vote of 9 ayes to 2 noes to 0 abstentions to authorize the General Manager to execute a contract amendment with the HMM/Bechtel Joint Venture in an amount not to exceed \$43.3 million, increasing the total contract amount to \$94.5 million, and extending the contract term to December 31, 2008, for project-wide support services, and design and engineering services necessary to complete 65 percent design development of the tunnel alignment portions of the Silicon Valley Rapid Transit Project. Also, authorize an adjustment to the current 2000 Measure A Capital Budget for fiscal year 2007 as necessary to commit \$8.8 million for anticipated engineering costs through June 2007. **Board Members Kniss and Perry opposed.**

25. **Yard & Shops Facilities Design and Engineering Services Silicon Valley Rapid Transit Project**

M/S/C (Gage/Williams) on a vote of 9 ayes to 2 noes to 0 abstentions to authorize the General Manager to execute a contract amendment with STV Incorporated in an amount not to exceed \$9.5 million, increasing the total contract amount to \$20.5 million, and extending the contract term to June 30, 2008, for design and engineering services resulting in a set of documents that will be used to put together a Design-Build contract package for the construction of the Yard and Shops facilities of the Silicon Valley Rapid Transit Project. Also, authorize an adjustment to the current 2000 Measure A Capital Budget for fiscal year 2007 as necessary to commit \$3.3 million for anticipated

engineering costs through June 2007. **Board Members Kniss and Perry opposed.**

26. Passenger Stations Design and Engineering Services Silicon Valley Rapid Transit Project

M/S/C (Gage/Williams) on a vote of 9 ayes to 2 noes to 0 abstentions to authorize the General Manager to execute a contract amendment with Earth Tech, Inc. in an amount not to exceed \$22.0 million, increasing the total contract amount to \$38.9 million, and extending the contract term to December 31, 2008, for design and engineering services necessary to complete 65 percent design development of the passenger station facilities for the Silicon Valley Rapid Transit Project. Also, authorize an adjustment to the current 2000 Measure A Capital Budget for fiscal year 2007 as necessary to commit \$5.7 million for anticipated engineering costs through June 2007. **Board Members Kniss and Perry opposed.**

27. Systems Design and Engineering Services Silicon Valley Rapid Transit Project

M/S/C (Gage/Williams) on a vote of 9 ayes to 2 noes to 0 abstentions to authorize the General Manager to execute a contract amendment with the PGH Wong Engineering, Inc. and Parsons Brinkerhoff Quade & Douglas, Inc. (Wong/PB) Joint Venture in an amount not to exceed \$15.0 million, increasing the total contract amount to \$29.22 million, and extending the contract term to December 31, 2008, for design and engineering services necessary to complete 65 percent design development of the systems components of the Silicon Valley Rapid Transit Project. Also, authorize an adjustment to the current 2000 Measure A Capital Budget for fiscal year 2007 as necessary to commit \$2.5 million for anticipated engineering costs through June 2007. **Board Member Kniss and Perry opposed.**

28. Design Integration Engineering Services Silicon Valley Rapid Transit Project

M/S/C (Gage/Williams) on a vote of 9 ayes to 2 noes to 0 abstentions to authorize the General Manager to execute a contract amendment with Booz Allen Hamilton, Inc. in an amount not to exceed \$9.0 million, increasing the total contract amount to \$14.0 million, and extending the contract term to December 31, 2008, for design integration engineering services necessary to complete 65 percent design development of the design integration requirements of the Silicon Valley Rapid Transit Project. Also, authorize an adjustment to the current 2000 Measure A Capital Budget for fiscal year 2007 as necessary to commit \$2.0 million for anticipated engineering costs through June 2007. **Board Member Kniss and Perry opposed.**

29. **Amendment of Contract with General Design Consultant for the Caltrain South County Capacity Improvement Project**

M/S/C (Gage/Williams) to authorize the General Manager to execute a contract amendment with DMJM+HARRIS for additional design services on the Caltrain South County Capacity Improvement Project in an amount not to exceed \$3.96 million for a new contract amount of \$7.96 million, and to extend the contract term through August 2, 2008.

30. **Agreement for Relocation of Verizon/MC, Qwest and Sprint Facilities for the Caltrain South County Capacity Improvement Program**

M/S/C (Gage/Williams) to authorize the General Manager to execute an Agreement in the amount of \$6.5 million for the relocation of Verizon/MCI, Qwest and Spring Company Facilities required for the Caltrain South County Capacity Improvement Program.

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| <p style="text-align: center;">CONGESTION MANAGEMENT PROGRAM AND PLANNING COMMITTEE CHAIRPERSON'S REPORT – (See Agenda Item # 35.B.)</p> |
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22. **Selection of Developers for Joint Development at the Capital Light Rail Transit Site**

Chairperson Chavez relinquished her seat at 11:37 a.m. and Vice Chairperson Chu presided over the meeting as Chairperson.

Board Member Gage stated he met with various Neighborhood Associations who have expressed concern regarding traffic impacts. He stated that it is important to review the criteria and provide the Board of Directors with a new bid.

Mr. Burns stated that San Jose Councilmember Pyle has requested he relate to the Board of Directors her support of staff's recommendation.

Board Member Kniss stated VTA should meet with the City before moving forward with the RFP.

Board Member Sandoval requested clarification as to possible changes to the criteria.

Board Member Gage stated there is a need to reestablish the criteria because comments from the neighborhoods were not taken into consideration. Further, the two acres of land from the County of Santa Clara were not considered which creates issues such as the higher density.

Carol Galante, President and CEO of BRIDGE Housing Corporation, expressed here disappointment of reestablishing the criteria because the proposal meets the needs of VTA and City of San Jose. Ms. Galante stated BRIDGE Housing Corporation would like to participate in this project.

David Noel, VEP Community Association, stated that from the neighborhoods' perspective, they would like a good project, one that solves the traffic gridlock. Mr. Noel urged that traffic and safety is taken into consideration.

Board Member Sandoval stated she would be voting against the motion due to the length of time it will take to decide upon new criteria and the need to dispose of property.

M/S/C (Gage/Kniss) on a vote of 7 ayes to 3 noes to 0 abstentions to reject recommendations for Selected Developer and Alternate Selected Developer and re-advertise for developers to submit new formal proposals for the Capitol Light Rail Transit site. Further, move to re-advertise after the Board of Directors has reviewed and had an opportunity to amend the selection criteria, and after an agreement has been entered into with the County of Santa Clara to include the County property in the Request For Proposal. **Board Members Chu, Perry, and Sandoval opposed.**

Board Members Gage, Kerr and Nguyen left the meeting at 11:53 a.m.

Vice Chairperson Chu relinquished the chair at 11:54 a.m. and
Chairperson Chavez took the chair at 11: 54 a.m. and
presided over the remainder of the Meeting.

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| <p style="text-align: center;">ADMINISTRATION AND FINANCE COMMITTEE CHAIRPERSON'S REPORT – (See Agenda Item 35.A.)</p> |
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21. Fiscal Year 2007 Budget Review

Mr. Burns stated that the Memorandum depicts minor adjustments to the budget related to the Capital Program and incorporates the authorization for the previously approved actions.

M/S/F (Williams/Kniss) on a vote of 7 ayes to 1 no to 0 abstentions 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 \$18.0 million; and further, approve amendment of the FY 2007 Measure A Capital Budget, increasing appropriations by \$45.0 million. **Board Member Perry opposed.**

NOTE: This item requires at least eight affirmative votes. This item will be reconsidered at the January 4, 2007 Board of Directors Meeting.

**TRANSIT PLANNING AND OPERATIONS COMMITTEE
CHAIRPERSON'S REPORT – (See Agenda Item # 35.C.)**

23. (Moved to the beginning of the Regular Agenda.)

Authorize the General Manager to execute a contract amendment with HNTB Corporation in an amount not to exceed a total of \$36.6 million for a new total contract amount of \$60.5 million and extend the contract term to December 31, 2008, for design and engineering services necessary to complete 65 percent design development of the surface guideway alignment portions of the Silicon Valley Rapid Transit Project. Also, authorize an adjustment to the current 2000 Measure A Capital Budget for fiscal year 2007 as necessary to commit \$10.6 million for anticipated engineering costs through June 2007.

24. (Moved to the beginning of the Regular Agenda.)

Authorize the General Manager to execute a contract amendment with the HMM/Bechtel Joint Venture in an amount not to exceed \$43.3 million, increasing the total contract amount to \$94.5 million, and extending the contract term to December 31, 2008, for project-wide support services, and design and engineering services necessary to complete 65 percent design development of the tunnel alignment portions of the Silicon Valley Rapid Transit Project. Also, authorize an adjustment to the current 2000 Measure A Capital Budget for fiscal year 2007 as necessary to commit \$8.8 million for anticipated engineering costs through June 2007.

25. (Moved to the beginning of the Regular Agenda.)

Authorize the General Manager to execute a contract amendment with STV Incorporated in an amount not to exceed \$9.5 million, increasing the total contract amount to \$20.5 million, and extending the contract term to June 30, 2008, for design and engineering services resulting in a set of documents that will be used to put together a Design-Build contract package for the construction of the Yard and Shops facilities of the Silicon Valley Rapid Transit Project. Also, authorize an adjustment to the current 2000 Measure A Capital Budget for fiscal year 2007 as necessary to commit \$3.3 million for anticipated engineering costs through June 2007.

26. (Moved to the beginning of the Regular Agenda.)

Authorize the General Manager to execute a contract amendment with Earth Tech, Inc. in an amount not to exceed \$22.0 million, increasing the total contract amount to \$38.9 million, and extending the contract term to December 31, 2008, for design and engineering services necessary to complete 65 percent design development of the passenger station facilities for the Silicon Valley Rapid Transit Project. Also, authorize an adjustment to the current 2000 Measure A Capital Budget for fiscal year 2007 as necessary to commit \$5.7 million for anticipated engineering costs through June 2007.

27. (Moved to the beginning of the Consent Agenda.)

Authorize the General Manager to execute a contract amendment with the PGH Wong Engineering, Inc. and Parsons Brinkerhoff Quade & Douglas, Inc. (Wong/PB) Joint Venture in an amount not to exceed \$15.0 million, increasing the total contract amount to \$29.22 million, and extending the contract term to December 31, 2008, for design and engineering services necessary to complete 65 percent design development of the systems components of the Silicon Valley Rapid Transit Project. Also, authorize an adjustment to the current 2000 Measure A Capital Budget for fiscal year 2007 as necessary to commit \$2.5 million for anticipated engineering costs through June 2007.

28. (Moved to the beginning of the Regular Agenda.)

Authorize the General Manager to execute a contract amendment with Booz Allen Hamilton, Inc. in an amount not to exceed \$9.0 million, increasing the total contract amount to \$14.0 million, and extending the contract term to December 31, 2008, for design integration engineering services necessary to complete 65 percent design development of the design integration requirements of the Silicon Valley Rapid Transit Project. Also, authorize an adjustment to the current 2000 Measure A Capital Budget for fiscal year 2007 as necessary to commit \$2.0 million for anticipated engineering costs through June 2007.

29. (Moved to the beginning of the Regular Agenda.)

Authorize the General Manager to execute a contract amendment with DMJM+HARRIS for additional design services on the Caltrain South County Capacity Improvement Project in an amount not to exceed \$3.96 million for a new contract amount of \$7.96 million, and to extend the contract term through August 2, 2008.

30. (Moved to the beginning of the Regular Agenda.)

Authorize the General Manager to execute an Agreement in the amount of \$6.5 million for the relocation of Verizon/MCI, Qwest and Sprint Company Facilities required for the Caltrain South County Capacity Improvement Program.

OTHER ITEMS

31. State Infrastructure Bond for Transportation – Corridor Mobility Improvement Account

Carolyn Gonot, Chief Development Officer, stated that approving this item would improve the Corridor Mobility Improvement Account for project nominations included in Attachment A., CMIA Request for Santa Clara County.

Ms. Gonot reported that MTC issued a call for projects on November 10, 2006. The submittal date is December 1, 2006. Staff submitted four projects on Highway 101 and two projects on Interstate 880.

Board Member Kniss left her seat at 12:01 p.m.

MTC has provided a recommend list of projects and VTA is somewhat disappointed the recommendations proposed for Santa Clara County. The three projects on the list are: 1) the US 101 from I-280 to Capitol Expressway/Yerba Buena Road in the City of San Jose for \$30 million; 2) Improvements from Marsh Road in San Mateo County to State Route 85 on US-101; and widening of lane US-101 and SR-237.

Board Member Kniss took her seat at 12:03 p.m.

M/S/C (Chu/Cortese) to approve Corridor Mobility Improvement Account (CMIA) Infrastructure Bond Project Nominations.

32. Caltrain Joint Power Board Appointment

M/S/C (Sandoval/Kniss) on a vote of 7 ayes to 1 no to 0 abstentions to approve Chairperson Cindy Chavez appointment of Member Forrest Williams to the Caltrain Joint Powers Board. **Board Member Perry opposed.**

33. ITEMS OF CONCERN AND REFERRAL TO ADMINISTRATION

Board Member Cortese recommended that remote microphones be provided for people with disabilities.

Board Member Kniss recommended asking County staff to be available to provide technical support to VTA for meetings held in the Board of Supervisors' Chambers. Further, she requested that the PA System turned on behind the dais for future meetings.

34. LEGISLATIVE HISTORY MATRIX

On order of Chairperson Chavez, there being no objection, the Monthly Legislative History Matrix was accepted as contained in the Agenda Packet.

35. SUMMARY MINUTES FROM STANDING COMMITTEES

A. Administration and Finance Committee

On order of Chairperson Chavez, there being no objection, the Administration and Finance Committee Report was accepted as contained in the Agenda Packet.

B. Congestion Management Program and Planning

On order of Chairperson Chavez, there being no objection, the Congestion Management Program and Planning Committee Report was accepted as contained in the Agenda Packet.

C. Transit Planning and Operations Committee

On order of Chairperson Chavez, there being no objection, the Transit Planning and Operations Committee Report was accepted as contained in the Agenda Packet.

36. REPORTS (UNAPPROVED MINUTES) FROM ADVISORY COMMITTEES

A. Committee for Transit Accessibility (CTA)

On order of Chairperson Chavez, there being no objection, the Committee for Transit Accessibility (CTA) Report was accepted as contained in the Agenda Packet.

B. Citizens Advisory Committee (CAC)

On order of Chairperson Chavez, there being no objection, the Citizen Advisory Committee (CAC) Report was accepted as contained in the Agenda Packet.

C. Bicycle & Pedestrian Advisory Committee (BPAC)

On order of Chairperson Chavez, there being no objection the Bicycle & Pedestrian Advisory Committee Report (BPAC) was accepted as contained in the Agenda Packet.

D. Technical Advisory Committee (TAC)

On order of Chairperson Chavez, there being no objection, the Technical Advisory Committee (TAC) Report was accepted as contained in the Agenda Packet.

E. Policy Advisory Committee (PAC)

On order of Chairperson Chavez, there being no objection, the Policy Advisory Committee (PAC) Report was accepted as contained in the Agenda Packet.

37. REPORTS FROM JOINT POWERS BOARDS (JPBs) & REGIONAL COMMISSIONS

Chairperson Chavez advised the Board of Directors that the Reports from the Joint Powers Boards (JPBs) & Regional Commissions were placed in front of them on the dais.

A. Peninsula Corridor JPB

On order of Chairperson Chavez, there being objection, the Peninsula Corridor JPB Report was received.

B. Capitol Corridor JPB

On order of Chairperson Chavez, there being no objection, the Capitol Corridor JPB Report was received.

C. Dumbarton Rail Corridor Policy Committee

On order of Chairperson Chavez, there being no objection, the Dumbarton Rail Corridor Policy Committee Report was received.

D. Metropolitan Transportation Commission (MTC)

On order of Chairperson Chavez, there being no objection, the Metropolitan Transportation Commission (MTC) Report was received.

38. REPORTS FROM VTA POLICY ADVISORY BOARDS (PABs)

A. Vasona Light Rail PAB

There was no report from the Vasona Light Rail PAB.

B. Silicon Valley Rapid Transit Corridor PAB

On order of Chairperson Chavez, the Silicon Valley Rapid Transit Corridor PAB Report was accepted as contained in the Agenda Packet.

C. Downtown East Valley PAB

On order of Chairperson Chavez, there being no objection, the Downtown East Valley PAB Report was accepted as contained in the Agenda Packet.

D. Highway PAB – South

There was no report from the Highway PAB - South.

E. I-680 Sunol SMART Carpool Lane Policy Advisory Committee

There was no report from the I-680 Sunol SMART Carpool Lane Policy Advisory Committee.

39. Report from the Chairperson

There was no Report from the Chairperson.

A. Board of Directors Meeting Schedule for 2007

On order of Chairperson Chavez, there being no objection, the Board of Directors Meeting Schedule for 2007 was accepted.

3. ADJOURN TO CLOSED SESSION at 12:08 p.m.

Conference with Labor Negotiators
[Government Code Section 54957.6]

VTA Designated Representatives:

Roger Contreras, 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 at 12:08 p.m.

4. CLOSED SESSION REPORT

Conference with Labor Negotiators
[Government Code Section 54957.6]

VTA Designated Representatives:

Roger Contreras, 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)

There was no reportable action taken during Closed Session.

40. ANNOUNCEMENTS

There were no Announcements.

41. ADJOURNED at 12:40 p.m.

Respectfully submitted,

Gilda Grozdanich, Board Assistant
VTA Board of Directors