

1. **CALLED TO ORDER at 5:36 p.m.**

2. **ROLL CALL**

Board Members Present: Campos, Chu, Cortese, Gage, Kerr, Kniss, Liccardo, Reed, Sandoval, Sellers, Williams,

Board Members Absent: Macias

Alternate Board Members Present: Caserta

Alternate Board Members Absent: Chirco, King, McHugh, Velasco

Ex-Officio Board Member Present: Yeager

Ex-Officio Board Member Absent: None

* Alternates do not serve unless participating as a Member.

A quorum was present.

Requested Agenda Item #5., Order of the Day, heard next.

The Agenda was taken Out of Order.

5. **ORDERS OF THE DAY**

Chairperson Chu **requested** the following changes to the order of the Board of Directors Agenda: **Agenda Item #3.**, Adjourn to Closed Session and **Agenda Item #4.**, Closed Session Report be heard at the end of the Agenda; **Agenda Item #10.**, Policy Advisory Committee (PAC) Chairperson's Report be heard before **Agenda Item #7.**, General Manager's Report.

Accepted Orders of the Day.

6. **AWARDS AND COMMENDATIONS**

A. **Employees of the Month for March 2007**

Recognized Kim Mojarro, Executive Secretary, River Oaks Administration; Michael Haniger, Coach Operator, Chaboya Division Operations; and Joyce Warner-Manina, Electronic Technician, Guadalupe Maintenance, as Employees of the Month for March 2007.

B. Employees of the Year for 2006

Recognized Maria Testa, Information Services Representative, River Oaks Administration; Michael Hoshida, Coach Operator, Chaboya Division Operations as Employees of the Year for 2006. **Recognized** Charles “Chuck” Maples, Superintendent of the Way, Power, and Signal Department at the Guadalupe Division, as Supervisor of the Year. Chuck Justice, **received** the tokens of appreciation on Chuck Maples’ behalf.

Mida Smith, Vehicle Maintenance Scheduler, North Division, Employee of the Year 2006 was unable to attend.

C. Resolution of Commendation for Outgoing Board Members

- **Approved Resolution of Commendation No. 07.03.04** for former VTA Board Member Madison P. Nguyen.

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

Chris Moylan, PAC Chairperson, **requested** that the change made in the sequence of the PAC Report on the Board of Directors Meeting Agenda should become a permanent change. He **provided**, a report regarding the February 8, 2007 PAC Meeting and noted the following: 1) The Committee reviewed and made recommendations regarding the proposal to review and screen candidate locations for noise mitigation; and 2) The Committee received a presentation and provided suggestions on the Comprehensive Operations Analysis (COA).

Board Member Kerr **inquired** about PAC’s quorum issue. Board Member Williams **expressed concern** about PAC Members’ commitment to attend the monthly meeting and **stated** that PAC should determine the reasons for absences.

7. REPORT FROM THE GENERAL MANAGER

Michael T. Burns, General Manager, **provided a report**, noting the following: 1) Jeff Funk’s resignation as Construction Deputy Director; 2) Status of VTA’s nominated projects for the Corridor Mobility Improvement Account (CMIA); 3) Completion of the emergency repairs to the Sunol/Auzerais Signal bungalow for the Vasona Light Rail line; 4) The completion of four public meetings in February 2007 for the BART Draft Supplemental Environmental Impact Report (SEIR); 5) The planning efforts for Community Bus service in Morgan Hill and Gilroy is completed and services will commence on July 2, 2007.

A. Receive Quarterly Progress Report on the 2000 Measure A Program

Mr. Burns **noted** that the Citizens Watchdog Committee (CWC) of the 2000 Measure A Transit Improvement Program has been working with VTA staff to develop a Quarterly Progress Report that illustrates the overall financial status and progress of the projects.

Jack Collins, Chief Construction Officer, **provided** a brief overview of the 2000 Measure A Quarterly Progress Report.

B. Receive a Report on State Legislative Issues from Smith Watts & Company

Mr. Burns **introduced** Mark Watts, Partner, Smith, Watts & Company, the state lobbying firm VTA contracts with. Mr. Burns **advised** that the federal lobbyist, Akin Gump Strauss Hauer & Feld (Akin Gump), will also provide a report at the April 2007 Board of Directors' Meeting.

Mr. Watts **provided** a brief report regarding state legislative issues.

Eugene Bradley, VTA Riders Union, **addressed** the Board of Directors.

8. REPORT FROM THE CHAIRPERSON

Chairperson Chu **noted** that the California Transportation Commission (CTC) approved funding for the following projects: 1) Interstate 880 HOV lanes from Route 237 to US 101 - \$72 Million; 2) US 101 Widening from I-280/I-680 interchange to Capitol Expressway/Yerba Buena - \$30 Million; and 3) US 101 Auxiliary Lanes from Route 85 to Embarcadero - \$85 Million.

Approved appointments to the Dumbarton Rail Corridor Project Policy Advisory Committee including Director Breene Kerr, VTA Board of Directors; Honorable Yoriko Kishimoto, City of Palo Alto; and Honorable David Casas, City of Los Altos.

9. Public Presentations

Jerry Grace, Interested Citizen, **noted** that he is pleased to attend the Board of Directors meeting and to see new Board Members. He **inquired** about Agenda Items #21, #28 and #31.D.

Bruce Stevens, Interested Citizen, **noted** that VTA should pursue legislation for self-adjudication and consider providing Fare Inspectors the right to carry certain self-defense equipment.

Board Members Kerr and Kniss left their seats at 6:30 p.m.
Board Members Kerr and Kniss took their seats at 6:31 p.m.

Keith Uriarte, American Federation of State, County, and Municipal Employees (AFSCME), **referred** to an outside legal opinion letter, which stated that AFSCME is a lawful bargaining unit. He **noted** that AFSCME and VTA should move forward and begin good faith bargaining.

Edna Pampy, VTA Employee and AFSCME negotiating team, **stated** that AFSCME is a lawful bargaining unit.

John Rolland, VTA Employee and AFSCME Vice President, **expressed concern** that VTA is splitting AFSCME. He **stated** that AFSCME is a legal bargaining unit.

John Carlson, VTA Employee and AFSCME President, **thanked** the Board of Directors for their decision to seek outside opinion regarding the legality of AFSCME as a bargaining unit. He **requested** that the Board of Directors direct staff to proceed bargaining with AFSCME.

CONSENT AGENDA

Chairperson Chu **stated** that members of the public requested the following items be moved from the Consent Agenda and placed on the Regular Agenda: **Agenda Item # 17.**, Authorize the General Manager to extend the 8-Hour Light Rail Excursion Fare Pilot Program through June 30, 2007. This action will provide the opportunity to include public comment in the final staff recommendations as to whether the 8-Hour Light Rail Excursion Fare should be added to VTA's Fare Ordinance; **Agenda Item #21.**, Adopt a resolution certifying that the VTA is an eligible and responsible sponsor for the Capitol Expressway Light Rail Extension Project in the State Transportation Improvement Program and authorize the General Manager to submit applications for Regional Transportation Improvement Program (RTIP) funding for this project; and **Agenda Item #24.**, Authorize the General Manager to execute task order contracts with up to nine engineering firms for Engineering Design Consultant Services for commuter rail, light rail, and bus rapid transit projects. Each contract shall be for a period of up to three years, with an option to extend the contract for an additional two-year term. The total amount for all nine contracts shall not exceed \$30,000,000. Individual task orders in excess of \$1 million will require approval by the VTA Board of Directors.

Chairperson Chu **noted** that members of the Board of Directors requested the following items be moved from the Consent Agenda and placed on the Regular Agenda: **Agenda Item #22.**, Authorize the General Manager to execute an Exclusive Negotiating Agreement (ENA) with Republic Properties and Green Valley Corporation as the Selected Developer for the West San Carlos site; and **Agenda Item #23.**, Authorize the

SUMMARY MINUTES

VTA Board of Directors
Thursday, March 1, 2007
70 West Hedding Street
San Jose, CA

General Manager to execute up to eight On-Call General Environmental Engineering Consulting Services task order contracts with the following firms: Earth Tech, Inc.; Geocon Consultants, Inc.; Kennedy/Jenks Consultants, Inc.; Kleinfelder, Inc.; LFR, Inc.; Locus Technologies; Northgate Environmental Management, Inc.; and SECOR International, Inc. The executed contracts would span a maximum five-year period and the total of all executed contracts would not exceed \$2.5 million.

Board Member Reed **requested** that the following items be removed from the Consent Agenda and placed on the Regular Agenda due to the need to recuse himself per Government Code Section 84308: **Agenda Item #15.**, Authorize the General Manager to execute an agreement with Hynix Semiconductor America Inc., for renewal of the lease for the Silicon Valley Rapid Transit (SVRT) Project Office for the negotiated amount that will be presented at the Board of Directors Meeting on March 1, 2007. This negotiated amount will be for base rent plus ancillary charges over a two-year term, from April 1, 2007 through March 31, 2009; **Agenda Item #16.**, Authorize the General Manager to execute a contract with HDR Engineering, Inc., for preparation of a State Route 152 Realignment Study for a total value of \$150,000. **Agenda Item #22.**, Authorize the General Manager to execute an Exclusive Negotiating Agreement (ENA) with Republic Properties and Green Valley Corporation as the Selected Developer for the West San Carlos site. **Agenda Item #23.**, Authorize the General Manager to execute up to eight On-Call General Environmental Engineering Consulting Services task order contracts with the following firms: Earth Tech, Inc.; Geocon Consultants, Inc.; Kennedy/Jenks Consultants, Inc.; Kleinfelder, Inc.; LFR, Inc.; Locus Technologies; Northgate Environmental Management, Inc.; and SECOR International, Inc. The executed contracts would span a maximum five-year period and the total of all executed contracts would not exceed \$2.5 million; and **Agenda Item #24.**, Authorize the General Manager to execute task order contracts with up to nine engineering firms for Engineering Design Consultant Services for commuter rail, light rail, and bus rapid transit projects. Each contract shall be for a period of up to three years, with an option to extend the contract for an additional two-year term. The total amount for all nine contracts shall not exceed \$30,000,000. Individual task orders in excess of \$1 million will require approval by the VTA Board of Directors.

11. **M/S/C (Gage/Sandoval)** to **approve** the Minutes of the Board of Directors' Workshop Meeting of January 26, 2007.
12. **M/S/C (Gage/Sandoval)** to **approve** the Minutes of the Regular Board of Directors' Meeting of February 1, 2007.

ADMINISTRATION AND FINANCE COMMITTEE

13. **M/S/C (Gage/Sandoval)** to **adopt Resolution No. 07.03.05** to **amend** Section 4-30 (a) of the VTA Administrative Code to add a representative of the Silicon Valley Bicycle Coalition as an ex-officio member of the Bicycle and Pedestrian Advisory Committee (BPAC); and further, **amend** Section 3.1 of the Bicycle and Pedestrian Advisory Committee (BPAC) bylaws to conform to this change.

14. **M/S/C (Gage/Sandoval)** to **adopt Resolution No. 07.03.06** to **amend** Section 5.7 of the Citizens Advisory Committee (CAC) bylaws, as indicated, to provide for a temporary waiver of the existing CAC attendance requirements.

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

Authorize the General Manager to execute an agreement with Hynix Semiconductor America Inc., for renewal of the lease for the Silicon Valley Rapid Transit (SVRT) Project Office for the negotiated amount that will be presented at the Board of Directors Meeting on March 1, 2007. This negotiated amount will be for base rent plus ancillary charges over a two-year term, from April 1, 2007 through March 31, 2009.

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

Authorize the General Manager to execute a contract with HDR Engineering, Inc., for preparation of a State Route 152 Realignment Study for a total value of \$150,000.

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

Authorize the General Manager to extend the 8-Hour Light Rail Excursion Fare Pilot Program through June 30, 2007. This action will provide the opportunity to include public comment in the final staff recommendations as to whether the 8-Hour Light Rail Excursion Fare should be added to VTA's Fare Ordinance.

18. **M/S/C (Gage/Sandoval)** to **authorize** the General Manager to execute a cooperative agreement with the Peninsula Corridor Joint Powers Board (JPB); and **approve** \$250,000 to help fund a project phasing and alternatives analysis, to be completed by May 2007, and placed on reserve \$1,750,000 of future funding pending the results of the alternatives analysis and further direction from the Policy Advisory Board.

19. **M/S/C (Gage/Sandoval)** to **authorize** the General Manager to purchase Highway Construction OCIP policy extensions and premium variances to cover Workers Compensation, General Liability, Contractors' Pollution Liability and Builder's Risk exposures for an amount not to exceed \$542,075. Policies will be purchased from TIG Insurance Company, Zurich American Insurance Company, Landmark American Insurance, American Guarantee & Liability Insurance, and American International

Specialty Lines Insurance Company. The extensions will cover the completion of the covered projects for the policy period from March 8, 2007 through August 3, 2009. With these extensions, the total premiums paid for these policies over the life of the projects will be \$10,148,040.

CONGESTION MANAGEMENT PROGRAM AND PLANNING COMMITTEE

- 20. M/S/C (Gage/Sandoval) to review the Proactive CMP Reviewed and Approved Projects Quarterly Status Report October through December 2006.**

- 21. (Removed from the Consent Agenda and placed on the Regular Agenda.)**

Adopt a Resolution certifying that the VTA is an eligible and responsible sponsor for the Capitol Expressway Light Rail Extension Project in the State Transportation Improvement Program and authorize the General Manager to submit applications for Regional Transportation Improvement Program (RTIP) funding for this project.

- 22. (Removed from the Consent Agenda and placed on the Regular Agenda.)**

Authorize the General Manager to execute an Exclusive Negotiating Agreement (ENA) with Republic Properties and Green Valley Corporation as the Selected Developer for the West San Carlos site.

TRANSIT PLANNING AND OPERATIONS COMMITTEE

- 23. (Removed from the Consent Agenda and placed on the Regular Agenda.)**

Authorize the General Manager to execute up to eight On-Call General Environmental Engineering Consulting Services task order contracts with the following firms: Earth Tech, Inc.; Geocon Consultants, Inc.; Kennedy/Jenks Consultants, Inc.; Kleinfelder, Inc.; LFR, Inc.; Locus Technologies; Northgate Environmental Management, Inc.; and SECOR International, Inc. The executed contracts would span a maximum five-year period and the total of all executed contracts would not exceed \$2.5 million.

- 24. (Removed from the Consent Agenda and placed on the Regular Agenda.)**

Authorized the General Manager to execute task order contracts with up to nine engineering firms for Engineering Design Consultant Services for commuter rail, light rail, and bus rapid transit projects. Each contract shall be for a period of up to three years, with an option to extend the contract for an additional two-year term. The total amount for all nine contracts shall not exceed \$30,000,000. Individual task orders in excess of \$1 million will require approval by the VTA Board of Directors.

REGULAR AGENDA

Board Member Reed **noted** the reason for recusal under Government Section Code 84308.

Board Member Reed left his seat at 6:39 p.m.

Board Member Liccardo **noted** that he will recuse himself on Agenda Items # 22, #23, and #24 per Government Section Code 84308.

15. **M/S/C (Sandoval/Cortese)** on a vote of 10 ayes, 0 noes, 0 abstentions, and 1 recusal to **authorize** the General Manager to execute an agreement with Hynix Semiconductor America Inc., for renewal of the lease for the Silicon Valley Rapid Transit (SVRT) Project Office for this negotiated amount presented at the Board of Directors Meeting on March 1, 2007: Rental of 41,250 square feet of office space for a two-year term, at the rate of \$2.05 per square foot for the first year and \$2.19 per square foot for the second year, for a total of \$2,098,800 for the two-year term. This negotiated amount will be for base rent plus ancillary charges over a two-year term, from April 1, 2007 through March 31, 2009. Board Member Reed recused.
16. **M/S/C (Sandoval/Cortese)** on a vote of 10 ayes, 0 noes, 0 abstentions, and 1 recusal to **authorize** the General Manager to execute a contract with HDR Engineering, Inc., for preparation of a State Route 152 Realignment Study for a total value of \$150,000. Board Member Reed recused.

Board Member Reed took his seat at 6:41 p.m.

17. **M/S/C (Gage/Liccardo)** to **authorize** the General Manager to extend the 8-Hour Light Rail Excursion Fare Pilot Program through June 30, 2007. This action will provide the opportunity to include public comment in the final staff recommendations as to whether the 8-Hour Light Rail Excursion Fare should be added to VTA's Fare Ordinance.

Eugene Bradley, VTA Riders Union, **addressed** the Board of Directors.

Bruce Stevens, Interested Citizen, **addressed** the Board of Directors.

21. **M/S/C (Williams/Cortese)** to **adopt Resolution No. 07.03.07** certifying that the VTA is an eligible and responsible sponsor for the Capitol Expressway Light Rail Extension Project in the State Transportation Improvement Program and **authorize** the General Manager to submit applications for Regional Transportation Improvement Program (RTIP) funding for this project.

At the request of a member of the public, Michael T. Burns, General Manager, **explained** the necessity for this action.

Board Members Liccardo and Reed left their seats at 6:49 p.m.

Board Member Cortese **noted** that he will recuse himself on Agenda Items # 22 per Government Section Code 84308.

Board Member Cortese left his seat at 6:52 p.m.

22. **M/S/C (Williams/Gage)** on a vote of 8 ayes, 0 noes, 0 abstentions, and 3 recusals to **authorize** the General Manager to execute an Exclusive Negotiating Agreement (ENA) with Republic Properties and Green Valley Corporation as the Selected Developer for the West San Carlos site and further **directed** staff to seek additional terms for Disposition and Development Agreement (DDA) to include: 1) The developer will create the project site plan and design through a community led process which shall include a design meeting with surrounding businesses and communities to identify and incorporate public ideas for the project; 2) A review meeting with surrounding businesses and communities to evaluate and provide feedback for the proposed project; 3) All meetings should occur in the evening to allow full community participation; 4) If the DDA is reached and presented to the Board for consideration staff will evaluate the developer's performance on the items described above. Board Members Cortese, Liccardo, and Reed recused.
23. **M/S/C (Sandoval/Gage)** on a vote of 8 ayes, 0 noes, 0 abstentions, and 3 recusals to **authorize** the General Manager to execute up to eight On-Call General Environmental Engineering Consulting Services task order contracts with the following firms: Earth Tech, Inc.; Geocon Consultants, Inc.; Kennedy/Jenks Consultants, Inc.; Kleinfelder, Inc.; LFR, Inc.; Locus Technologies; Northgate Environmental Management, Inc.; and SECOR International, Inc. The executed contracts would span a maximum five-year period and the total of all executed contracts would not exceed \$2.5 million. Board Members Cortese, Liccardo, and Reed recused.
24. **M/S/C (Sandoval/Gage)** on a vote of 8 ayes, 0 noes, 0 abstentions, and 3 recusals to **authorize** the General Manager to execute task order contracts with up to nine engineering firms for Engineering Design Consultant Services for commuter rail, light rail, and bus rapid transit projects. Each contract shall be for a period of up to three years, with an option to extend the contract for an additional two-year term. The total amount for all nine contracts shall not exceed \$30,000,000. Individual task orders in excess of \$1 million will require approval by the VTA Board of Directors. Board Members Cortese, Liccardo, and Reed recused.

Eugene Bradley, VTA Riders Union, **addressed** the Board of Directors.

Jerry Grace, Interested Citizen, **addressed** the Board of Directors.

Board Member Kerr left his seat at 7:08 p.m.
Board Member Kerr took seat at 7:09 p.m.
Ex-Officio Board Member Yeager left his seat at 7:10 p.m.

**ADMINISTRATION AND FINANCE COMMITTEE
CHAIRPERSON'S REPORT – (See Agenda Item #29.A.)**

Board Member Reed took his seat at 7:11 p.m.
Board Members Cortese and Liccardo and Ex-Officio Board Member Yeager
took their seats at 7:12 p.m.

25. **M/S/C (Kniss/Gage)** to **authorize** the General Manager to execute a contract with RGW Construction, the lowest responsible bidder, in the amount of \$17,260,657 for construction of the Route 152/156 Improvement Project, a Valley Transportation Plan project. The contract award is contingent upon receiving no protests from other bidders during VTA's five-day bid protest period that will expire on March 5, 2007. This project is 57 percent federally funded.

**CONGESTION MANAGEMENT PROGRAM AND PLANNING COMMITTEE
CHAIRPERSON'S REPORT – (See Agenda Item #29.B.)**

There were no items submitted for the Regular Agenda by the Congestion Management Program and Planning Committee.

**TRANSIT PLANNING AND OPERATIONS COMMITTEE
CHAIRPERSON'S REPORT – (See Agenda Item #29.C.)**

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

OTHER ITEMS

26. **Discussed** Proposed Open Government Initiatives. (Reed)

Board Member Reed **referred** to staff for analysis and formulate recommendations regarding the following open government initiatives: 1) Require staff recommendations on policy matters be published and made available to the Board or committees not less than 10 days before the meeting compared to what Rules of Procedure which states 5 days; 2) Items potentially requiring recusal under Government Code Sect. 84308 be specifically identified on the agenda; 3) Adopt process integrity guidelines for Request

for Proposals (RFP) to prohibit interference in the evaluation process by Members of the Board; b) require results of evaluations of all vendors and proposers be included in staff reports; and c) make the bids and documents related to the bid be made public; and 4) Designate the Administration and Finance (A&F) Committee as the Committee to hear complaints or issues relative to responses to Public Records Act Requests and all such correspondence should be part of the agenda packet for the committee meetings.

Eugene Bradley, VTA Riders Union, **addressed** the Board of Directors.

Ex-Officio Board Member Yeager left the meeting at 7:40 p.m.

27. ITEMS OF CONCERN AND REFERRAL TO ADMINISTRATION

There were no items of concern and referral to Administration.

28. MONTHLY LEGISLATIVE HISTORY MATRIX

Accepted as contained in the Agenda Packet.

29. SUMMARY MINUTES FROM STANDING COMMITTEES

A. Administration and Finance Committee

Accepted the February 15, 2007 Summary Minutes as contained in the Agenda Packet.

B. Congestion Management Program and Planning

Accepted the February 15, 2007 Summary Minutes as contained in the Agenda Packet.

C. Transit Planning and Operations Committee

Accepted the February 14, 2007 Summary Minutes as contained in the Agenda Packet.

30. REPORTS (UNAPPROVED MINUTES) FROM ADVISORY COMMITTEES

A. Committee for Transit Accessibility (CTA)

Accepted the February 7, 2007 Minutes as contained in the Agenda Packet.

B. Citizens Advisory Committee (CAC)

Accepted the February 7, 2007 Minutes as contained in the Agenda Packet.

C. Bicycle & Pedestrian Advisory Committee (BPAC)

Accepted the January 10, 2007 and February 7, 2007 Minutes as contained in the Agenda Packet.

D. Technical Advisory Committee (TAC)

Accepted the February 8, 2007 Minutes as contained in the Agenda Packet.

E. Policy Advisory Committee (PAC)

Accepted the February 8, 2007 Minutes as contained in the Agenda Packet.

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

Chairperson Chu 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

B. Capitol Corridor JPB

D. Dumbarton Rail Corridor Policy Committee

E. Metropolitan Transportation Commission (MTC)

32. 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

There was no report from the Silicon Valley Rapid Transit Corridor PAB.

C. Downtown East Valley PAB

Accepted the February 1, 2007 Minutes as contained in the Agenda Packet.

D. Highway PAB – South

Chairperson Chu **advised** the Board of Directors that the Report for the Highway PAB-South was placed in front of them on the dais.

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.

33. ANNOUNCEMENTS

There were no Announcements.

3. ADJOURNED TO CLOSED SESSION at 7:41 p.m.

A. Existing Litigation – Conference with Legal Counsel
[Government Code Section 54956.9(a)]

1. Santa Clara Valley Transportation Authority v. Lin
(Santa Clara Superior Court No.: 1-06-CV-063644) (Eminent Domain)
2. Muriel Smith vs. Santa Clara Valley Transportation Authority
Workers' Compensation Appeals Board Case no. SJO 203795

B. 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)

RECONVENED TO OPEN SESSION at 8:01 p.m.

4. CLOSED SESSION REPORT

A. Existing Litigation – Conference with Legal Counsel
[Government Code Section 54956.9(a)]

1. Santa Clara Valley Transportation Authority v. Lin
(Santa Clara Superior Court No.: 1-06-CV-063644) (Eminent Domain)

Suzanne Gifford, General Counsel, **reported** that the Board of Directors convened in Closed Session and **approved** a settlement and details of the settlement would be available for public review when agreed to by the other party.

2. Muriel Smith vs. Santa Clara Valley Transportation Authority
Workers' Compensation Appeals Board Case no. SJO 203795

Ms. Gifford **reported** that the Board of Directors convened in Closed Session and **approved** a settlement and details of the settlement would be available for public review when agreed to by the other party.

B. 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 on this item taken during Closed Session.

34. ADJOURNED at 8:03 p.m.