

**SANTA CLARA VALLEY TRANSPORTATION AUTHORITY
BOARD OF DIRECTORS COMMITTEE OF THE WHOLE MEETING
(In Lieu of Administration & Finance Committee,
Congestion Management Program & Planning Committee, and
Transit Planning & Operations Committee Meetings)**

Thursday, July 19, 2007

Board of Supervisors' Chambers
County Government Center
70 West Hedding Street
San Jose, California

SUMMARY MINUTES

1. CALLED TO ORDER at 12:03 p.m.

The Committee of the Whole noted that Committee recommendations would be forwarded for consideration at the August 2, 2007 VTA Regular Board of Directors Meeting.

ROLL CALL

Members Present

Dean Chu
Don Gage
Breene Kerr
Sam Liccardo
Laura Macias
Chuck Reed
Dolly Sandoval
Greg Sellers
Forrest Williams
Ken Yeager, Ex-Officio

Members Absent

Nora Campos
David Cortese
Liz Kniss

Alternates Present

Pete McHugh
Roland Velasco

Alternates Absent

Dominic Caserta
Judy Chirco
Kathleen King

* Alternates do not serve unless participating as a Member.

A Committee of the Whole was declared.

Alternate Board Member McHugh took his seat at 12:03 p.m.
Ex-Officio Board Member Yeager took his seat at 12:06 p.m.

2. PUBLIC PRESENTATIONS

There were no Public Presentations.

3. ORDERS OF THE DAY

The Closed Session item was removed from the Agenda.

The Committee of the Whole **accepted** the Orders of the Day.

CONSENT AGENDA

4. **The Committee of the Whole reviewed** the Report on Santa Clara Valley Transportation Authority Investments for the month of May 2007.

Board Member Macias took her seat at 12:10 p.m.

5. **The Committee of the Whole reviewed** the Monthly Legislative History Matrix.
6. **The Committee of the Whole recommended** that the Board of Directors ratify the appointment to the Bicycle & Pedestrian Advisory Committee to the non-voting position representing the Silicon Valley Bicycle Coalition of Corinne Winter as the member and Jerri-Ann Meyer as the alternate member. The appointments are for the term ending June 30, 2008.

REGULAR AGENDA

7. **The Committee of the Whole received** a Report regarding the June 13, 2007 and July 11, 2007 Committee for Transit Accessibility meetings.

Board Member Liccardo took his seat at 12:13 p.m.

Board Member Chu took his seat at 12:14 p.m.

Board Member Reed took his seat at 12:16 p.m.

8. **The Committee of the Whole recommended** that the Board of Directors adopt a support position for SB 286 (Lowenthal).

Board Member Reed advised that he will recuse himself on Regular Agenda Items 9 to 12 per Government Code Section 84308.

Board Member Reed left his seat at 12:29 p.m.

9. **The Committee of the Whole recommended** that the Board of Directors authorize the General Manager to amend the I-880/Coleman Avenue Interchange Construction contract with FCI Constructors Inc./Pavex Joint Venture by an amount of \$800,000 for a new contract amount of \$51,599,485. Board Member Reed recused.
- Jim Stallman, Bicycle and Pedestrian Advisory Committee (BPAC) Member, **addressed** the Board of Directors.
10. **The Committee of the Whole recommended** that the Board of Directors authorize the General Manager to execute a contract with Pacific States Environmental, Pacific Contractors Inc., the lowest responsible bidder, in the amount of \$634,604 for contaminated soil stockpiling, demolition of six (6) buildings and installation of security fencing for property acquired from the Union Pacific Railroad located at the Newhall Yard. Also, in lieu of the 15% change order contingency delegated to the General Manager, authorize a contingency amount of \$200,000 for additional contaminated material excavation work, if necessary. Board Member Reed recused.
11. **The Committee of the Whole recommended** that the Board of Directors authorize the General Manager to execute a contract with Granite Rock Company DBA, Pavex Construction Division, the lowest responsible bidder, in the amount of \$957,613 for the construction of the San Martin Parking and Roadway Expansion Project improvements. Board Member Reed recused.
12. **The Committee of the Whole recommended** that the Board of Directors authorize the General Manager to execute contracts and future options for Aerial Photography, Right-of-Way Engineering and Survey Services with the following seven firms: 1) Towill, Inc.; 2) BKF Engineers; 3) HMM Engineers; 4) Geomatic Transportation Services, Inc.; 5) TY Lin International; 6) David Evans and Associates, Inc.; and 7) Rail Surveyors and Engineers. Contracts will be limited to no more than seven years in duration, and the total amount of all contracts shall not exceed \$11,500,000. Board Member Reed recused.
13. **The Committee of the Whole recommended** that the Board of Directors authorize the General Manager to execute Cooperative Agreements with the California Department of Transportation (Caltrans), covering environmental, design, right of way, construction and landscaping phases of projects. Board Member Reed absent.
14. **The Committee of the Whole recommended** that the Board of Directors authorize the General Manager to amend the contract with Parsons Transportation Group for final design and construction support services of the Interstate 880/State Route 237 Highway Planting Project, increasing the approved contract value by \$360,000 for a new total contract value of \$6,155,139 and extending the contract term through December 31, 2009. Board Member Reed absent.

Board Member Reed took his seat at 12:43 p.m.

15. **The Committee of the Whole recommended** that the Board of Directors authorize the General Manager to amend the Memorandum of Understanding with Monterey-Salinas Transit (MST) and the Capitol Corridor Joint Powers Authority (CCJPA) to continue operation of the Monterey to San Jose Express for two years at a cost not to exceed \$35,000 per year. Further, authorize the General Manager to propose continued funding for this service in future biennial budgets and, with budget approval, enter into any subsequent amendments.
16. **The Committee of the Whole recommended** that the Board of Directors adopt a Resolution authorizing the submittal and execution of grant applications and agreements, certifications and assurances and other documents as necessary to obtain federal financial assistance in the amount of \$1,186,349 provided by the US Department of Homeland Security Office of State and Local Government Coordination and Preparedness Office of Domestic Preparedness (ODP) under the FY2006 Transit Security Grant Program for security enhancements at various locations.
17. **The Committee of the Whole recommended** that the Board of Directors adopt a Resolution to execute a Workforce Investment Act (WIA) Service Provider Subgrant in the amount of \$282,907 with the Sacramento Employment and Training Agency (SETA), a Joint Powers Agency and WIA One-Stop Operator, to fund a Maintenance Career Ladder Training Program under the Workforce Investment Act. Further, authorize the General Manager to increase the FY2008 and FY2009 Adopted Budgets by \$188,605 and \$94,302 respectively for a total of \$282,907. The California Labor and Workforce Development Agency's Employment Development Department provided these WIA funds for the purpose of establishing and conducting a pilot Maintenance Career Ladder Training Program.

Michael T. Burns, General Manager, **acknowledged and thanked** Tom Fink of Amalgamated Transit Union (ATU) regarding the Joint Work Force Initiative.

OTHER ITEMS

18. **The Committee of the Whole received** a report on Monthly Ridership and Fare Revenue Performance.
19. **Items of Concern and Referral to Administration**

Board Member Chu **queried** about the time frame to acquire a new vendor to replace Veolia Transportation.

Staff responded that Outreach, VTA's paratransit broker, has until October 15, 2007 to find a new vendor and noted that a contingency plan is in place to have a monthly agreement with Veolia Transportation until a new vendor is acquired.

Chairperson Kerr **requested** to have a Board Compensation Study agenda item on a future Administration and Finance Committee meeting.

20. **The Committee of the Whole received** the Committee Staff Report.

21. **The Committee of the Whole received** the Chairperson's Report.

Chairperson's Report: 1) On July 2nd the Community Bus service was introduced in Morgan Hill and Gilroy; 2) Route 87 Northbound HOV lane was completed in May 2007. Southbound is scheduled for completion by the end of July 2007 and an Opening Ceremony together with Caltrans is planned for early August 2007; and 3) The 152/156 Interchange project started in late May 2007.

22. **Determined** Consent Agenda for the August 2, 2007 Board Meeting.

CONSENT: Agenda Item # 6., Ratify the appointment to the Bicycle & Pedestrian Advisory Committee to the non- voting position representing the Silicon Valley Bicycle Coalition of Corinne Winter as the member and Jerri-Ann Meyer as the alternate member. The appointments are for the term ending June 30, 2008; **Agenda Item # 8.,** Adopt a support position for SB 286 (Lowenthal); **Agenda Item # 9.,** Authorize the General Manager to amend the I-880/Coleman Avenue Interchange Construction contract with FCI Constructors Inc./Pavex Joint Venture by an amount of \$800,000 for a new contract amount of \$51,599,485; **Agenda Item # 10.,** authorize the General Manager to execute a contract with Pacific States Environmental, Pacific Contractors Inc., the lowest responsible bidder, in the amount of \$634,604 for contaminated soil stockpiling, demolition of six (6) buildings and installation of security fencing for property acquired from the Union Pacific Railroad located at the Newhall Yard. Also, in lieu of the 15% change order contingency delegated to the General Manager, authorize a contingency amount of \$200,000 for additional contaminated material excavation work, if necessary; **Agenda Item # 11.,** Authorize the General Manager to execute a contract with Granite Rock Company DBA, Pavex Construction Division, the lowest responsible bidder, in the amount of \$957,613 for the construction of the San Martin Parking and Roadway Expansion Project improvements; **Agenda Item # 12.,** Authorize the General Manager to execute contracts and future options for Aerial Photography, Right-of-Way Engineering and Survey Services with the following seven firms: 1) Towill, Inc.; 2) BKF Engineers; 3) HMM Engineers; 4) Geomatic Transportation Services, Inc.; 5) TY Lin International; 6) David Evans and Associates, Inc.; and 7) Rail Surveyors and Engineers. Contracts will be limited to no more than seven years in duration, and the total amount of all contracts shall not exceed \$11,500,000; **Agenda Item # 13.,** Authorize the General Manager to execute Cooperative Agreements with the California Department of Transportation (Caltrans), covering environmental, design, right of way, construction and landscaping phases of projects; **Agenda Item # 14.,** Authorize the General Manager to amend the contract with Parsons Transportation Group for final design and construction support services of the Interstate 880/State Route 237 Highway Planting Project, increasing the approved contract value by \$360,000 for a new total contract value of \$6,155,139 and extending the contract term through December 31, 2009; **Agenda Item # 15.,** Authorize the General Manager to amend the Memorandum of Understanding with Monterey-Salinas Transit (MST) and the Capitol Corridor Joint Powers Authority (CCJPA) to

continue operation of the Monterey to San Jose Express for two years at a cost not to exceed \$35,000 per year. Further, authorize the General Manager to propose continued funding for this service in future biennial budgets and, with budget approval, enter into any subsequent amendments; **Agenda Item # 16.**, Adopt a Resolution authorizing the submittal and execution of grant applications and agreements, certifications and assurances and other documents as necessary to obtain federal financial assistance in the amount of \$1,186,349 provided by the US Department of Homeland Security Office of State and Local Government Coordination and Preparedness Office of Domestic Preparedness (ODP) under the FY2006 Transit Security Grant Program for security enhancements at various locations; **Agenda Item # 17.**, Adopt a Resolution to execute a Workforce Investment Act (WIA) Service Provider Subgrant in the amount of \$282,907 with the Sacramento Employment and Training Agency (SETA), a Joint Powers Agency and WIA One-Stop Operator, to fund a Maintenance Career Ladder Training Program under the Workforce Investment Act. Further, authorize the General Manager to increase the FY2008 and FY2009 Adopted Budgets by \$188,605 and \$94,302 respectively for a total of \$282,907. The California Labor and Workforce Development Agency's Employment Development Department provided these WIA funds for the purpose of establishing and conducting a pilot Maintenance Career Ladder Training Program.

Regular: None

23. Announcements

Board Member Liccardo **queried** about the removal of the Closed Session item on the agenda.

Staff **responded** that the owners, Mitchell Family, have not responded to VTA.

24. (Removed from the Agenda.)

ADJOURNED TO CLOSED SESSION

Conference with Real Property Negotiator
[Government Code 54956.8]

Property: Block bounded by North First Street, North Market Street, Santa Clara Street and West St. John Street located in downtown San José.

Negotiator for VTA: Roberta Notrangelo, Manager of Real Estate

Negotiating parties: The Mitchell Family, Owners, acting through an exclusive listing by CB Richard Ellis.

Under negotiation: Price and terms of payment .

RECONVENED TO OPEN SESSION

25. CLOSED SESSION REPORT

There was no Closed Session Report.

26. ADJOURNED at 1:08 p.m.