

## **BOARD OF DIRECTORS MEETING**

Thursday, September 3, 2009

### **MINUTES**

#### **CALL TO ORDER**

The Regular Meeting of the Santa Clara Valley Transportation Authority's (VTA) Board of Directors was called to order by Chairperson Sandoval at 5:36 p.m. in the Board of Supervisors' Chambers, County Government Center, 70 West Hedding Street, San Jose, California.

#### **1. ROLL CALL**

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>
Nora Campos	Alternate Board Member	Absent
David Casas	Board Member	Present
Dominic Caserta	Board Member	Present
Dean Chu	Ex-Officio Board Member	Present
Don Gage	Board Member	Present
Rose Herrera	Board Member	Present
Ash Kalra	Board Member	Present
Yoriko Kishimoto	Board Member	Present
Liz Kniss	Board Member	Absent
Sam Liccardo	Vice Chairperson	Present
Bob Livengood	Alternate Board Member	Present
Chris Moylan	Alternate Board Member	Absent
Chuck Page	Alternate Board Member	Present
Nancy Pyle	Board Member	Absent
Chuck Reed	Board Member	Present
Dolly Sandoval	Chairperson	Present
Greg Sellers	Board Member	Absent
George Shirakawa	Alternate Member	Absent
Ken Yeager	Ex-Officio Board Member	Present

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

**A quorum was present.**

#### **2. CLOSED SESSION**

There was no Closed Session.

#### **3. CLOSED SESSION REPORT**

There was no Closed Session Report.

**4. ORDERS OF THE DAY**

There were no Orders of the Day.

M/S/C (**Gage/Caserta**) to accept the Orders of the Day.

**5. AWARDS AND COMMENDATIONS**

**A. Employees of the Month for July and August 2009**

Chairperson Sandoval recognized and presented an award to Kris Solomita, Office Specialist II, Engineering & Construction Administration and Raymond Stafford, Light Rail Operator, Guadalupe Operations Division as Employees of the Month for September 2009.

**B. Resolution for Retiring VTA Employee Irene Wang**

Chairperson Sandoval recognized and presented an award to Irene Wang, Senior Real Estate Agent, for 35 years of service.

Vice Chairperson Liccardo read the Resolution to Ms. Wang giving special tribute, honor, and recognition for her outstanding effort and dedication at VTA.

M/S/C (**Gage/Caserta**) to adopt a **Resolution No. 2009.09.22** recognizing Irene Wang, Associate Real Estate Agent, for 35 years of service.

**6. Metropolitan Transportation Commission - Chairperson Scott Haggerty**

Chairperson Sandoval deferred this item pending the arrival of Metropolitan Transportation Commission Chairperson, Scott Haggerty.

**7. PUBLIC PRESENTATIONS**

James Wightman, Interested Citizen, expressed concern with the proposed service changes and suggested light rail service run every 30 minutes throughout the day.

**8. REPORT FROM THE GENERAL MANAGER**

Michael T. Burns, General Manager, reported the following:

- VTA systemwide ridership for the month of July 2009 decreased when compared to July 2008. Systemwide average weekday ridership declined 11.6 percent. Bus average weekday ridership declined 10.5 percent, light rail declined 14.8 percent, and fare revenues declined 11 percent. VTA's interagency partners experienced significant ridership decreases as well. The Dumbarton Express declined 10 percent; Monterey – San Jose Express declined 36 percent; Altamont Commuter Express (ACE) declined 30 percent; Caltrain declined 11.5 percent; and Outreach paratransit declined 5 percent. A chart was presented which showed the direct correlation between ridership impacts and the unemployment rates which has climbed to 11.8 percent in Santa Clara County.

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

- Seven Public Meetings were held regarding the Service Reduction Plan with 225 total attendees. Four comments were received on the environmental document and 175 comments on Service Reductions and the information was presented to Advisory Committees. Feedback will be compiled and a revised plan will go to Transit Planning and Operations (TPO) Committee in September and be presented to the Board at the September Workshop for discussion and the October regular meeting for approval.
- Sales Tax Revenues decreased 13 percent for FY 2009 and VTA is facing a budget deficit of \$15 – 20 million for the 2010 fiscal year beyond the furloughs, and service reductions that are in place. Actual numbers for 2009 will be available by the end of September. The preliminary numbers will be used to devise a plan which will be presented to the Administration and Finance (AF) Committee at the October meeting to address the continuing budget shortfalls.

Board Member Reed arrived and took his seat at 5:50 p.m.

- The Administration and Finance Committee has committed to address the Governance issue at its October meeting and forward a recommendation to the Board of Directors for the November meeting.
- VTA hosted delegates from Thailand, and will host delegates from China who are interested in VTA's multi-modal approach to highways, bicyclists, and pedestrian transit.
- Kurt Evans, Government Affairs Manager, provided information regarding Assembly Bill AB744 which Metropolitan Transportation Commission (MTC) has decided to place on hold due to pushback being received from environmental groups who are not convinced the regional express lane network built out will result in a net reduction of carbon emissions, and don't believe the bill, as currently crafted, provides a high profile for transit. MTC will work with environmental groups to craft language and amendments to the bill. Professional Engineers in California Government, wants language added requiring CalTrans do all work. MTC, VTA, and other supporters are not in agreement with this because it takes away ability of Construction Management Agencies to manage projects in their respective corridors.

**9. REPORT FROM THE CHAIRPERSON**

Chairperson Sandoval indicated Vice Chairperson Liccardo and Board Member Kniss would assist her and serve on the Committee for the General Manager's Review. A Consultant will be working with VTA Board Members on the process. Chairperson Sandoval indicated she utilized transit services while on a recent vacation to Norway and commented on the flow of their system which integrates bus, train, and ferry service.

**10. Citizens Advisory Committee (CAC) Chairperson's Report**

Noel Tebo, CAC Chairperson, provided a report, on the September CAC meeting which highlighted the Citizens Watchdog Committee's (CWC) response to the Civil Grand Jury Report. He read excerpts of the responses regarding the issues of seeking independent advisors and legal counsel and putting the 2008 Measure B on the Ballot without review.

Mr. Tebo noted CAC's appreciation of the opportunity to provide input on service cuts and is satisfied VTA is doing as well as anyone can ask to cope with this very difficult year.

Board Member Kishimoto indicated her support of the CWC seeking additional advisement if needed.

**11. Policy Advisory Committee (PAC) Chairperson's Report**

Chuck Page, Policy Advisory Commitment (PAC) Vice Chairperson, indicated he was not present at the August PAC Committee meeting due to a prior commitment and had no report.

**CONSENT AGENDA**

**12. Regular Meeting Minutes of August 6, 2009**

M/S/C (**Gage/Herrera**) to approve the Board of Directors Regular Meeting Minutes of August 6, 2009.

**13. California Transit Association Ballot Measure**

M/S/C (**Gage/Herrera**) to adopt a resolution endorsing the California Transit Association's research activities related to pursuing a ballot measure that would protect state public transit funding from being diverted to the General Fund.

**14. SB 626 (Kehoe)**

M/S/C (**Gage/Herrera**) to adopt a support position for SB 626 (Kehoe), which requires the California Public Utilities Commission (CPUC) to evaluate policies related to the development of the electrical infrastructure that is needed to support the widespread use of plug-in hybrids and electric vehicles.

**15. Hybrid Bus Procurement**

Ross Signorino, Interested Citizen, suggested the interior of the new buses be constructed so they can be utilized as medical vehicles in case of emergency. He expressed his appreciation for VTA's effort during the tough economic times.

M/S/C (**Gage/Herrera**) to amend the resolution certifying that VTA is an eligible and responsible sponsor for the Hybrid Bus procurement replacing older model buses and authorize the General Manager to submit an amended application for 2009 American Recovery and Reinvestment Act funding of the Hybrid Bus procurement, an ADA Bus Stop enhancement project, and allowable funding for transit operations.

**16. Transportation Infrastructure Generating Recovery (TIGER) Grant Funds**

M/S/C (Gage/Herrera) to adopt a sponsoring agency resolution for Transportation Infrastructure Generating Recovery (TIGER) grant funds for VTA's joint application with Bay Area Rapid Transit (BART) for the BART Hayward Yard Reconstruction project. Authorize the General Manager to enter into any necessary agreements with BART, the State of California and/or the Federal Department of Transportation to receive these funds and implement this project.

**17. VTA Transformation Program Progress**

M/S/C (Gage/Herrera) to receive an update on the VTA Transformation Program Progress.

**18. Programmed Projects Quarterly Monitoring Report April to June 2009**

M/S/C (Gage/Herrera) to receive the Programmed Projects Quarterly Monitoring Report for April to June 2009.

**19. Development Review Program Enhancements and Proactive CMP Report**

M/S/C (Gage/Herrera) to receive a presentation on the Development Review Program Enhancements and the Proactive CMP Report for April through June 2009.

**20. Silicon Valley Express Lanes Program**

M/S/C (Gage/Herrera) to authorize the General Manager to execute Cooperative Agreements with the California Department of Transportation (Caltrans), covering environmental, design, right of way, construction, landscaping, project close-out phases of Silicon Valley Express Lanes Program projects.

**21. CEQA Guidelines Amendments**

M/S/C (Gage/Herrera) to authorize the General Manager to submit a comment letter on the proposed CEQA Guidelines Amendments to the California Natural Resources Agency, as presented in Attachment C.

**22. Measure A Semi-Annual Report**

M/S/C (Gage/Herrera) to receive an update to the Measure A Fund Exchange Semi-Annual Report.

**23. Milpitas Community-Based Transportation Plan**

M/S/C (Gage/Herrera) to receive a presentation on the Milpitas Community-Based Transportation Plan.

**24. Closed Circuit Television at the VTA Guadalupe Light Rail Facility**

M/S/C (Gage/Herrera) to authorize the General Manager to execute a contract with Siemens Building Technology, Inc., the lowest responsible bidder, in the amount of \$643,894 to enhanced and expand the Closed Circuit Television system at the VTA Guadalupe Light Rail Facility. This contract will be 100% funded under the Department of Homeland Security Transit Security Grant Program (FY07-TSGP) and Prop 1B California Transit Security Grant Program.

**25. Closed Circuit Television at Light Rail Stations (Phase 4)**

M/S/C (Gage/Herrera) to authorize the General Manager to execute a contract with Siemens Building Technologies, Inc., the lowest responsible bidder, in the amount of \$298,998 for the procurement and installation of Closed Circuit Television at Light Rail Stations (Phase 4). This contract is 100% funded under the Department of Homeland Security Transit Security Grant Program (FY07-TSGP) and Prop IB California Transit Security Grant Program.

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

Board Member Kalra arrived and took his seat at 6:12 p.m.

**6. Metropolitan Transportation Commission Chair Scott Haggerty**

Scott Haggerty, Metropolitan Transportation Commission (MTC) Chairperson, addressed the Board of Directors and provided updates on several projects MTC is undertaking. He met with Congestion Management Association (CMA) directors regarding the implementation of the Regional Transportation Plan (T2035) and placed emphasis on creating project ready projects. He indicated now is the best time to implement projects because they are coming in below engineer's estimate and the savings helps get other projects moving.

Mr. Haggerty indicated MTC is advocating for restoration of State Transit Assistance (STA) funding and opposing the seizure of funds for the local streets and roads. MTC opted to use funds from American Recovery and Reinvestment Act (ARRA) and federal stimulus packages to meet transit and pavement maintenance needs throughout Santa Clara County and is partnering with state and local stakeholders advocating for a significant share of \$8 billion for high speed rail in the Silicon Valley/San Francisco Corridor.

Mr. Haggerty indicated MTC will also take up Federal Foreman's Programs which provide funding for key transportation T2035 plans including local streets and roads rehabilitation, Freeway Performance Initiative, and Transportation for Livable Communities (TLC) Program. Another big opportunity is the expiration of the Safe, Accountable, Flexible, Efficient Transportation Equity Act (SAFETEA) in September which offers a chance to improve long term financial outlook for local streets and roads and transportation operations. The proposal includes major restructuring of the federal program. MTC supports the proposal, stressing the importance of getting it right and putting monies from general fund into the program.

Mr. Haggerty thanked VTA leaders and commissioners for their hard work.

Ex-Officio Board Member Yeager thanked Mr. Haggerty for his leadership and understanding of the projects and needs of the County.

Ex-Officio Board Member Chu thanked Mr. Haggerty for supporting Santa Clara County noting the importance of putting connections together for workers who travel between counties.

Board Member Reed thanked Mr. Haggerty for his leadership in getting the BART project moving.

Board Member Liccardo noted Santa Clara County is the largest county in the Bay Area but there is a history of a lack of representation on MTC. He agreed the emphasis needs to be placed on “fix-it-first” projects for the T2035 plan to keep transit and buses running and maintained. Mr. Haggerty indicated difficulty with getting some of the representatives to attend meetings but will fight for additional seats for Santa Clara and noted he was open to suggestions for restructuring. He noted MTC’s commitment to “fix-it-first” plans which will be addressed within the upcoming weeks.

Board Member Kishimoto thanked Mr. Haggerty for his commitment to Dumbarton Rail. She indicated there was \$5 million per year in operating funds from Regional Measure 2 which is not being used and questioned if those funds can be used to increase transit across the Dumbarton. Mr. Haggerty shared his idea of a specific Bus Rapid Transit (BRT) project in the corridor to attract more ridership.

Board Member Gage left his seat at 6:40 p.m.

Ross Signorino, Interested Citizen, expressed concern with BART costs and requested more economical way be found to extend it to San Jose. Mr. Haggerty indicated he is a supporter of BART and will support the leaders of counties to do the will of the people.

**11. Policy Advisory Committee Report (PAC) (continued)**

Margaret Abe-Koga, PAC Chairperson, provided a report on the PAC August meeting which highlighted recommendations to the Board regarding Metropolitan Transportation Commission’s (MTC) proposed Regional Transportation Plan (T2035) which included, specifying a minimum of two-thirds of the total funding for the Livable Communities program be allocated to the county congestion management agencies, and the VTA Board and other elected officials collaborate to advocate VTA’s policy positions to MTC.

Ms. Abe-Koga indicated PAC reviewed the January 2010 service changes and raised questions and provided input on the River Oaks Shuttle, Bus Line 34, and VTA’s financial structure.

Board Member Liccardo questioned if VTA has ever explored a variable pricing structure.

Michael T. Burns, General Manager, indicated there has been some discussion with the opportunity of variation when Translink is in place and with the integration of taxi and paratransit services to try and encourage ridership.

Board Member Kishimoto indicated VTA built a partnership with the senior center in

Palo Alto and produced ways to provide alternative transportation services for passengers. Mr. Burns recognized the work of Katie Heatley and Outreach paratransit services for providing a solution to continue servicing passengers.

## REGULAR AGENDA

### 26. Amalgamated Transit Union (ATU) Collective Bargaining Agreement Addendum

Bill Lopez, Chief Administrative Officer, provided an update on the contract negotiations with the Amalgamated Transit Union (ATU). He indicated the ATU was in the middle of a current agreement but agreed to negotiate a package to assist VTA and its customers during these difficult economic times. Included in the agreement is the deferral of two years of wage increases and other provisions that will save VTA approximately \$5.5 million over the current two year budget cycle.

Lavonne Hamilton, ATU Recording Financial Secretary, indicated ATU's acknowledgement of VTA's financial position and the realization that everyone has to make sacrifices.

Board Member Liccardo thanked VTA and ATU for reaching an agreement and helping save jobs for employees and services for thousands of people.

Board Member Kalra praised the efforts of the bargaining team and leadership of the ATU, noting the difficulty of employees stepping up and making sacrifices.

Board Member Herrera expressed appreciation for the outcome and the ability of everyone to come together to provide jobs and keep transit running for those who need it.

**M/S/C (Caserta/Herrera)** to recommend the Board of Directors to formally adopt the addendum to the collective bargaining agreement negotiated between Santa Clara Valley Transportation Authority (VTA) and the Amalgamated Transit Union (ATU), Division 265.

### 27. Sales Tax Auditing & Recovery Request for Proposal (RFP)

Kimberly Koenig, Fiscal Resources Manager, provided information on the proposal process for obtaining sales tax auditing services to ensure VTA recovers potentially underreported sales tax revenues. Ms. Koenig indicated VTA would like to award the new contract to MuniServices, LLC, who has been providing services to VTA since 2002 and recovered \$2.67 million through March, 30, 2009.

Board Member Gage took his seat at 6:58 p.m.

**M/S/C (Liccardo/Herrera)** to approve the Sales Tax Auditing & Recovery Request for Proposal (RFP) and

- 1) Authorize the General Manager to execute a five-year contract with MuniServices, LLC for the amount of \$84,000 for quarterly sales tax reporting services plus fees contingent on additional sales tax revenue generated from transactions and use tax (sales tax) audit services; and

- 2) Further authorize the General Manager to extend the contract for two additional one-year terms (for a maximum contract period of seven years) for the amount of \$37,600 for quarterly sales tax reporting services plus fees contingent on additional sales tax revenue generated from transactions and use tax (sales tax) audit services; and
- 3) Adopt a resolution for the State Board of Equalization that authorizes MuniServices LLC to examine sales and use tax records.

**28. Regional Transportation Plan (T2035)**

John Ristow, Chief Congestion Management Officer, provided a brief update on the core programs proposed by the Metropolitan Transportation Commission for the Regional Transportation Plan (T2035) and VTA Staff's recommendation. Three principles VTA wanted to ensure were imbedded in the memo to MTC were a priority on "fix-it-first" versus new projects, making programming decisions at the county level, and simplifying the implementation of the grants.

Board Member Kishimoto expressed her appreciation for VTA's interest in taking initiative in Safe Routes to School Program. She questioned where in the language of the memo does it say VTA is recommending fix it first. Mr. Ristow indicated it is imbedded in several of the recommendations noting the proposal of decreasing some of the funding that had been proposed by MTC for the Freeway Performance Initiative and increasing the funding for local streets and roads category.

Board Member Kishimoto expressed she may not be in agreement with that. Mr. Ristow responded VTA does support the Freeway Performance Initiative, but given the current climate, feels the need to maintain existing systems at a higher level. Staff still recommends having quite a bit of funding to go to the initiative just not as much as proposed.

Board Member Reed left his seat at 7:05 p.m.

Chairperson Sandoval indicated the comments to MTC would include suggested recommendations by the Policy Advisory Committee and Technical Advisory Committee as well.

**M/S/C (Herrera/Caserta)** to authorize the General Manager to submit comments on the MTC's draft/proposed programs to distribute transportation funding under the recently adopted Regional Transportation Plan (T2035).

**29. Silicon Valley Rapid Transit (SVRT) Corridor Project Design Features**

Michael T. Burns, General Manager, indicated an agreement between the City of Milpitas and VTA was reached to defer the approval of Design Feature C: Milpitas Station Transit Center, therefore it will not be included in the recommended project description for the Silicon Valley Rapid Transit (SVRT) Corridor. VTA Staff will work with the City of Milpitas and alternatives for the different recommendations will be analyzed. He indicated detail is not needed until final design is determined and the environmental impact really does not change with whatever decision is made.

Board Member Reed took his seat at 7:08 p.m.

Carolyn Gonot, Chief SVRT Officer, briefly explained the recommended design options and provided a presentation of the visual concepts. She indicated selection of design options is necessary for the environmental document and real estate planning activities. Noted were the key considerations used to evaluate design options which included system operations, construction, environmental impacts, multi-modal access, right-of-way acquisition, cost, and city/community acceptance. A series of public meetings were held in July and August to get feedback from the community.

Board Member Kishimoto questioned why there are vast areas for surface parking planned and why VTA does not have a transit first policy. Ms. Gonot stressed these are not final configurations, and the parking areas are not necessarily going to be that vast. VTA is working with cities to look at the lots and the plan is to have them be more compact. She indicated the approvals at this stage determine the location of station and not the footprints. Mr. Burns indicated the ultimate goal is to have the parking in as small of a footprint as possible and to use property in the area for joint development.

Board Member Kishimoto questioned if the mode shift will be determined by the market or if VTA will adopt a policy of transit first. Ms. Gonot indicated there is an assumption of a parking charge in place and there will be a parking policy program. A robust transit network is being designed to serve BART and work is being done to balance transit service and meet the requirements of Federal Transit Administration (FTA).

Board Member Kishimoto questioned the role of the Board in setting the policy because she is uncomfortable leaving it up to the Market.

Board Member Caserta left his seat at 7:22 p.m.

Chairperson Sandoval indicated the issue needs to be addressed specifically when the item comes back to the Board and Committees.

Board Member Kishimoto suggested VTA does its best to make the transfer between light rail and BART as seamless as possible and requested VTA make a commitment to a collaborative process between agency and the cities.

Board Member Reed questioned when Design Feature C: Milpitas Station Transit Center, will be addressed and indicated the importance that BART and light rail have an easy connection because it is vital to the success of both elements. Ms. Gonot indicated staff is continuing to work on the issue and is looking at the option of the connection being an overcrossing into the station area. Mr. Burns indicated the issue will be agendized for the Congestion Management Program Planning (CMPP) Committee meeting in October.

Board Member Liccardo indicated having light rail and BART within a very short distance to each other will have a positive impact on light rail ridership.

Ex-Officio Board Member Yeager left his seat at 7:38 p.m.

Alternate Board Member Livengood expressed his gratitude to VTA Staff for agreeing with Dixon Landing road option. He indicated there are issues with the station design of

the Milpitas Station Transit Center because the city has adopted a transit area specific plan with 7500 residential units, and the Environmental Impact Report has already been completed. He noted housing is critical and needs to be kept as a part of plan so there is still work to do to plan it right. He indicated the connectivity issue is paramount to get from light rail to BART which is the final piece of puzzle. Alternate Board Member Livengood expressed his appreciation to staff for working to resolve these issues.

Chairperson Sandoval reiterated the need to address the parking ratio when the item comes back to the Board for discussion.

**M/S/C (Kalra/Liccardo)** to approve the following project design features for inclusion in the Silicon Valley Rapid Transit Corridor Final Environmental Impact Statement (FEIS) Recommended Project Description as amended:

- Design Feature A: Dixon Landing Road Alignment
- Design Feature B: Curtis Avenue to Trade Zone Boulevard Alignment
- Design Feature D: Berryessa Station
- Design Feature E: Berryessa Extension Yard
- Design Feature F: Tunnel Alignment near Coyote Creek

## **OTHER ITEMS**

### **30. ITEMS OF CONCERN AND REFERRAL TO ADMINISTRATION**

Board Member Reed questioned if there was any further communication in regards to the Free Speech incident involving Supervisor Dave Cortese and the media gaining access to film on VTA property. Michael T. Burns, General Manager, indicated a response was sent to Mr. Cortese with a copy to the Board and indicated video-taping on the platform is not prohibited as long as the proper safety and security measures are taken. He noted policies and procedures are being reviewed to ensure it is understood filming is not restricted.

Board Member Gage left his seat at 7:43 p.m.

Eugene Bradley, Interested Citizen, expressed concern and provided a letter regarding the proposed service reduction. He requested commitment from VTA to pursue as much federal and state funding as possible and restore service back to January 2008 levels as soon as possible.

James Wightman, Interested Citizen, suggested all light rail stations be equipped with cameras, and questioned when the light rail project to Eastridge would be completed. Mr. Burns indicated VTA is moving forward with the Bus Rapid Transit (BRT) project and implementation of the pedestrian walkway improvements. He indicated the light rail project is currently going through the federal environmental process to be eligible for federal funds when available.

Board Member Kishimoto requested staff to follow-up with MTC on the utilization of \$5 Million of the Regional Measure 2 funds for the Dumbarton service.

**31. MONTHLY LEGISLATIVE HISTORY MATRIX**

**On order of Chairperson Sandoval** and there being no objection, the Monthly Legislative History Matrix was accepted as contained in the Agenda packet.

**32. REPORTS (UNAPPROVED MINUTES) FROM STANDING COMMITTEES**

**A. Administration and Finance Committee**

Ex-Officio Board Member Chu indicated a letter was received by the City of Sunnyvale to review the governance item and he has requested city manager and mayor agendaize the matter.

**On order of Chairperson Sandoval** and there being no objection, the August 20, 2009 Administration and Finance Committee Meeting Minutes were accepted as contained on the dais.

**B. Congestion Management Program and Planning Committee**

**On order of Chairperson Sandoval** and there being no objection, the August 20, 2009 Congestion Management Program and Planning (CMPP) Committee Meeting Minutes were accepted as contained on the dais.

**C. Transit Planning and Operations Committee**

**On order of Chairperson Sandoval** and there being no objection, the August 20, 2009 Transit Planning and Operations (TP&O) Committee Meeting Minutes were accepted as contained on the dais.

**D. Audit Committee**

There was no report from the Audit Committee.

**33. REPORTS (UNAPPROVED MINUTES) FROM ADVISORY COMMITTEES**

**A. Committee for Transit Accessibility (CTA)**

**On order of Chairperson Sandoval** and there being no objection, the August 12, 2009 Committee for Transit Accessibility (CTA) Minutes were accepted as contained in the Agenda packet.

**B. Citizens Advisory Committee (CAC) and 2000 Measure A Citizens Watchdog Committee (CWC)**

There was no report from the Citizens Advisory Committee (CAC) and 2000 Measure A Citizens Watchdog Committee (CWC).

**C. Bicycle & Pedestrian Advisory Committee (BPAC)**

There was no report from the Bicycle & Pedestrian Advisory Committee (BPAC).

**D. Technical Advisory Committee (TAC)**

**On order of Chairperson Sandoval** and there being no objection, the August 12, 2009 Technical Advisory Committee (TAC) Minutes were accepted as contained in the Agenda packet.

**E. Policy Advisory Committee (PAC)**

**On order of Chairperson Sandoval** and there being no objection, the August 12, 2009 Policy Advisory Committee (PAC) Meeting Minutes were accepted as contained in the Agenda packet.

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

**A. Peninsula Corridor JPB**

**On order of Chairperson Sandoval** and there being no objection, the September 3, 2009 Summary Notes from the Peninsula Corridor Joint Powers Board were accepted as contained on the dais.

**B. Capitol Corridor JPB**

There was no report from the Capitol Corridor JPB.

**C. Dumbarton Rail Corridor Policy Committee**

There was no report from the Dumbarton Rail Corridor Policy Committee.

**D. Metropolitan Transportation Commission (MTC)**

There was no report from the Metropolitan Transportation Commission (MTC).

**E. Sunol Smart Carpool Lane Joint Powers Authority**

There was no report from the Sunol Smart Carpool Lane Joint Powers Authority.

**35. 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 and BART Warm Springs Extension PAB**

There was no report from the Silicon Valley Rapid Transit Corridor and BART Warm Springs Extension PAB.

**C. Downtown East Valley PAB**

There was no report from the Downtown East Valley PAB.

**D. Highway PAB South**

There was no report from the Highway PAB South

**36. ANNOUNCEMENTS**

Ex-Officio Board Member Chu announced the closure of the Bay Bridge for repair during the Labor Day weekend.

Board Member Casas indicated he provided a quote in a press release based on an assertion within the release that a complaint was filed with the Fair Political Practices Commission (FPPC) against VTA questioning the actions of Staff during the BART election. Upon further investigation with VTA and FPPC, Board Member Casas stated he found no proof of the complaint, and therefore extended a formal apology to VTA Staff for his comments.

Chairperson Sandoval announced there will be a picture taken of the Board at the November meeting and asked all members to please attend.

Chairperson Sandoval recognized Keith Weissglass, from Senator Joe Simitian's office, who had been in attendance at the meeting.

**37. ADJOURNMENT**

**On order of Chairperson Sandoval** and there being no objection, the meeting was adjourned at 7:50 p.m.

Respectfully Submitted,

Menominee L. McCarter, Board Assistant  
Office of the Board Secretary