



BOARD OF DIRECTORS MEETING

Thursday, June 3, 2010

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 Liccardo at 5:35 p.m. in the Board of Supervisors' Chambers, County Government Center, 70 West Hedding Street, San Jose, California.

1. ROLL CALL

Attendee Name	Title	Status
Margaret Abe-Koga	Vice Chairperson	P
Marshall Anstandig	Alternate Board Member	A
Nora Campos	Alternate Board Member	A
Dean Chu	Ex-Officio Board Member	P
Don Gage	Board Member	P
Rose Herrera	Board Member	P
Ash Kalra	Board Member	A
Liz Kniss	Board Member	A
Rich Larsen	Board Member	A
Sam Liccardo	Chairperson	P
Jamie Matthews	Alternate Board Member	P
Pete McHugh	Alternate Board Member	P
Chris Moylan	Board Member	P
Chuck Page	Board Member	P
Nancy Pyle	Board Member	P
Chuck Reed	Board Member	A
George Shirakawa	Alternate Board Member	A
Perry Woodward	Board Member	P
Ken Yeager	Ex-Officio Board Member	A

* Alternates do not serve unless participating as a Member.

A quorum was present

2. RECESS TO CLOSED SESSION at 5:36 p.m.

Board Member Abe-Koga arrived at 5:36 p.m. and entered into Closed Session.

RECESS TO CLOSED SESSION

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

Name of Case: Weaver v. Santa Clara Valley Transportation Authority
(Santa Clara County Superior Court No. 1-07-CV-093519)

- B. Conference with Real Property Negotiators
[Government Code Section 54956.8]

Property: Vacant land owned by VTA generally located at Lick Avenue near
Pepitone Avenue and Goodyear Street, San Jose, California, within the Tamien
Station area, comprised of approximately 3.5 acres

Agency negotiator: Michael T. Burns, General Manager

Negotiating parties: City of San Jose; Ed Shikada, Assistant City Manager

Under negotiation: Price and terms of payment

RECONVENED TO OPEN SESSION at 6:00 p.m.

3. CLOSED SESSION REPORT

Kevin Allmand, General Counsel, reported there was no reportable action taken during
Closed Session.

4. ORDERS OF THE DAY

Upon staff recommendation, Chairperson Liccardo removed the following Item from the
Consent Agenda: Agenda Item # 33 – Silicon Valley Rapid Transit Master Agreement
between VTA and City of Milpitas.

Upon staff recommendation, Chairperson Liccardo removed the following Item from the
Regular Agenda: Agenda Item #45 - Authorize funding VTA's Partner Contribution for
Caltrain's FY2011 Operating Expense, after consideration of recommendations from the
General Manager concerning fund sources and VTA's payment obligations

M/S/C (Pyle/Herrera) to accept the Orders of the Day.

5. AWARDS AND COMMENDATIONS

Employees of the Month for June 2010

Chairperson Liccardo recognized and presented awards to Paula Aguirre, Senior
Information Representative, Customer Service Department at River Oaks, Albert
Candelaria, Chaboya Coach Operator. Kevin Morte, Paint and Body Worker at Cerone's
Overhaul and Repair Division was unable to attend.

6. PUBLIC PRESENTATIONS

Eugene Bradley, Silicon Valley Transit Users, commented that transit updates are posted on Twitter at Silicon Valley Transit Updates.

7. REPORT FROM THE GENERAL MANAGER

Michael T. Burns, General Manager, provided a brief report highlighting the following:

- April ridership for 2010 was down 3.8 percent systemwide when compared to April 2009. This is a positive trend to a negative number that is moving in an overall positive direction. Bus ridership down 2.5 percent, and light rail ridership is down 8 percent.
- VTA participated in the National Observance of the Moment of Remembrance on Memorial Day. All bus and light rail operators stopped their bus or light rail vehicle to observe the Moment of Remembrance and gratitude for those who have served and given their lives for our country.
- Thanked Vice Chairperson Abe-Koga for attending the VTA employee organized Asian Pan-American Festival 2010. Vice Chairperson Abe-Koga was the featured speaker at the festival. The event was attended by approximately 250 VTA employees.
- Noted the letter sent from Chairperson Liccardo to the State Senate endorsing a measure put forth by Senator Christopher Dodd, Chairman of the Senate Banking, Housing, and Urban Affairs Committee. The measure is identified as the Public Transportation Preservation Act and would authorize \$2 billion in emergency public transportation operating assistance.
- Discussed the incident where motorist ran a red light and struck a light rail vehicle at Tasman and Zanker Roads. No one was injured and a bus bridge was established to route the riders. The Everbridge system was utilized to notify the Board Members. Mr. Burns encouraged the Board Members to provide feedback to Sandra Weymouth, Board Secretary, regarding their experience with the system.
- Noted removal of Agenda Item #45 – Authorize funding VTA’s Partner contribution for Caltrain’s FY2011 Operating Expense, after consideration of recommendations from the General Manager concerning fund sources and VTA’s payment obligations. VTA has been working with Member Agencies to identify funding solutions for the Caltrain FY2011 shortfall. Significant progress has been made and Caltrain is expecting to provide its Board a budget with a smaller deficit in July.

Public Comment

Michael Ludwig, Interested Citizen, expressed his support for continued Caltrain service.

Eugene Bradley, Silicon Valley Transit Users, expressed his support of Caltrain service.

6. REPORT FROM THE CHAIRPERSON

Sam Liccardo, Board Chairperson, announced the June 25, 2010 Regular/Workshop meeting has been cancelled.

9. Report from the Ad-Hoc Financial Recovery Committee

Board Member Gage provided an update on the recommendations and topics covered by the Ad-Hoc Financial Recovery Committee, highlighting; 1) Policy approach to help reduce structural deficit; 2) South Bay Labor presented recommendations to approach financial challenges. Consultant Bob Kuo presented a review of projections and assumptions; 3) Reviewed policy recommendations to help guide VTA when formulating budgets and to determine where and how to add back service when VTA is in a better financial situation; and 4) Extending the Ad-Hoc Committee meeting schedule into the month of August.

Public Comment

Eugene Bradley, Silicon Valley Transit Users, referenced a letter he mailed to VTA on June 2, 2010.

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

Charlotte Powers, Citizens Advisory Committee (CAC) Chairperson, provided a report of the May 12, 2010, CAC meeting highlighting: 1) CAC Bylaw modifications to incorporate ACE Task Force recommendations; 2) Reviewed and unanimously recommended the Board place a ballot measure before the voters in November 2010 to authorize a \$10 vehicle registration fee for transportation related programs; and 3) CAC in its capacity as the 2000 Measure A Citizens Watchdog Committee conducted a public hearing to gather public input on Measure A expenditures. The CAC is developing a publication strategy to provide the Annual Report to the public.

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

Jamie Matthews, Policy Advisory Committee (PAC) Chairperson, provided a report of the May 13, 2010 PAC meeting highlighting: 1) Recommendation the Board approve the actions regarding SB83 with the modification to remove the HOV/HOT Lane as an eligible category in the expenditure plan and to consider a 10-year sunset for the vehicle registration fee. The motion passed on a vote of 10 Ayes to 2 Noes; 2) Recommend the Board approve the FY2011 Congestion Management Work Program. One member expressed concern that VTA should only perform activities required by statute. The motion passed on a vote of 10 Ayes to 1 No; and 3) Recommend the Board adopt a resolution approving the project priorities for the FY2010/11 Countywide Transportation Development Act Article 3 Program. The motion passed on a vote of 10 Ayes to 1 No.

CONSENT AGENDA

12. Board of Directors Regular Meeting Minutes of May 6, 2010

M/S/C (Herrera/Gage) to approve the Board of Directors Regular Meeting Minutes of May 6, 2010.

13. Amendments to the Advisory Committee Bylaws Recommended by the Advisory Committee Task Force

M/S/C (Herrera/Gage) to adopt a resolution: 1) Amending the bylaws for the Bicycle & Pedestrian Advisory Committee, Citizens Advisory Committee, and the Committee for Transit Accessibility to implement changes recommended by the Advisory Committee Enhancement Task Force to enhance the advisory committee process; 2) Amending the Policy Advisory Committee and the Technical Advisory Committee bylaws to make minor technical adjustments and corrections; and 3) Amending the VTA Administrative Code to be consistent therewith.

14. Bicycle & Pedestrian Advisory Committee and Committee for Transit Accessibility Appointments to the Citizens Advisory Committee

M/S/C (Herrera/Gage) to ratify the appointments of the following individuals to the Citizens Advisory Committee (CAC) to represent the specified stakeholder group, as indicated:

- Herman Wadler Bicyclists and Pedestrians
- Aaron Morrow Disabled Community

15. Bicycle and Pedestrian Advisory Committee (BPAC) Member Appointments

M/S/C (Herrera/Gage) to ratify the following appointments and re-appointments to the Bicycle & Pedestrian Advisory Committee (BPAC):

New Appointment:

- Breene Kerr, Town of Los Altos Hills for term commencing July 1, 2010 to June 30, 2012.

Reappointments:

- Jerri-Ann Meyer, City of Mountain View for term commencing July 1, 2010 to December 31, 2011;
- Ray Cosyn, City of Saratoga; Thomas Muniz, City of Gilroy; John Sullivan, City of Santa Clara; and Richard Swent, City of Palo Alto for term commencing July 1, 2010 to June 30, 2012.

16. VTA FY2010-2011 Transportation Development Act and State Transit Assistance Allocation Claim

M/S/C (Herrera/Gage) to adopt a resolution authorizing the filing of an annual claim to the Metropolitan Transportation Commission (MTC) for allocation of FY 2010-2011 Transportation Development Act (TDA) and State Transit Assistance (STA) funds.

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

17. Bill Position: SB 901 (Ashburn)

M/S/C (Herrera/Gage) to adopt a support position for SB 901 (Ashburn), which authorizes the lead agency for a grade separation or safety project funded through the Proposition 1B Highway-Railroad Crossing Safety Account to apply for a Letter of No Prejudice (LONP) that would allow the agency to expend its own funds for any bond-funded component of the project and be eligible to seek reimbursement from bond proceeds at a later date under certain circumstances.

18. Bill Position: SB 964 (Alquist)

M/S/C (Herrera/Gage) to adopt a support position for SB 964 (Alquist), which requires the California High-Speed Rail Authority to contract with the state Employment Development Department to put together a strategy for ensuring that the necessary training programs are in place to facilitate the availability of a skilled, in-state workforce for California's proposed high-speed train system.

19. Bill Position: AB2324 (J.Perez)

M/S/C (Herrera/Gage) to adopt a support position for AB 2324 (J. Perez), which prohibits the following: (a) a person from knowingly possessing specified weapons within a sterile area of a public transit facility; (b) an unauthorized person from knowingly entering a restricted area of a public transit facility; and (c) a person from intentionally avoiding submission to screening and inspection when entering or re-entering a sterile area of a public transit facility. In addition, this bill increases the penalties for repeat fare evasion offenders and for certain acts of public transit passenger misconduct.

20. Approval of Investment Banking Firm Pool

M/S/C (Herrera/Gage) to designate fourteen investment banking firms to an underwriting pool for a period of seven years to provide the VTA access to capital markets in order to finance capital projects or refinance existing debt.

21. Cellular Mobility – Contract Extension

M/S/C (Herrera/Gage) to authorize the General Manager to execute a contract amendment with AT&T for cellular voice and data service. The contract amendment will extend the contract term for an additional one year for a cost of \$200,000, for a new contract value of \$1,558,000.

22. Federal Fiscal Year 2010 Federal Transit Administration Grant Applications

M/S/C (Herrera/Gage) to authorize the General Manager to submit federal Fiscal Year 2010 grant applications and execute grant agreements with the Federal Transit Administration (FTA) for Section 5307 Urbanized Area Formula, Section 5309 Fixed Guideway.

23. Prop 84 Urban Greening for Sustainable Communities Planning Grant

M/S/C (Herrera/Gage) to adopt a resolution authorizing the filing and execution of grants under the Proposition 84 Urban Greening for Sustainable Communities Planning funding through the State of California's Strategic Growth Council.

24. STIP PPM Fund Transfer Agreement with Caltrans

M/S/C (Herrera/Gage) to adopt a resolution authorizing the General Manager to execute a fund transfer agreement with the State of California Department of Transportation (Caltrans) for five fiscal years from 2010 to 2014 for the State Transportation Improvement Program Planning, Programming and Monitoring Program.

25. FY2010/11 TDA3 Project Priorities

M/S/C (Herrera/Gage) to adopt a resolution approving the project priorities for the FY2010/11 Countywide Transportation Development Act Article 3 Program.

26. SR237/I-880 Express Connectors – System Integrator Contract Award

M/S/C (Herrera/Gage) to authorize the General Manager to execute a contract with TransCore for the the Electronic Toll Systems integration on the SR 237/I-880 Express Connectors project for the amount of \$2.9 million. This authorization includes technical options which may be exercised by amendment. A combination of federal stimulus funds and VTA highway local funds will be used to fund this contract.

27. Bike Sharing Study Final Report

M/S/C (Herrera/Gage) to accept the Bike Sharing Study Final Report.

28. MTC Funding Agreement for Delivery of Freeway Performance Initiative (FPI) Projects

Public Comment

James Wightman, Interested Citizen, expressed his support.

M/S/C (Herrera/Gage) to authorize General Manager to execute a funding agreement for up to \$2 million with the Metropolitan Transportation Commission (MTC) that specifies the roles and responsibilities to implement Traffic Operations Systems (TOS) improvements including ramp metering in Santa Clara County.

29. FY08 Transit Security Grant Program (TSGP)

M/S/C (Herrera/Gage) to adopt a resolution authorizing the General Manager to submit and execute grant applications and agreements, certifications, assurances, and other documents as necessary to receive \$1,256,836 from the U.S. Department of Homeland Security (DHS) FY 2008 Transit Security Grant Program (TSGP).

30. Wrigley Creek Improvements Contract Award

M/S/C(Herrera/Gage) to authorize the General Manager to execute a contract with Top Grade Construction, the lowest responsible bidder, in the amount of \$997,635 for the construction of Wrigley Creek Improvements. This contract is 100% funded by the 2000 Measure A Program.

31. Closed Circuit Television (Phase 6) Contract Award

Public Comment

James Wightman, Interested Citizen, expressed concern the security camera at the Great America stop was not working.

M/S/C(Herrera/Gage) to authorize the General Manager to execute a contract with Cal Coast Telecom, the lowest responsible bidder, in the amount of \$650,851 for the procurement and installation of Closed Circuit Television at Light Rail Stations (Phase 6). This contract is 100% funded under the Department of Homeland Security Transit Security Grant Program (FY07-TSGP) and Prop 1B California Transit Security Grant Program - California Transit Assistance Fund (FY07-08- CTSGP-CTAF).

32. Freight Rail Relocation – Beeryessa Creek Crossing, Abel Street Seismic Retrofit, and UPRR Railroad Relocation Contract Amendment to the Gordon N. Ball Inc., Construction Contract

M/S/C (Herrera/Gage) to authorize the General Manager to amend the Gordon N. Ball Inc. construction contract to accommodate scope additions and claims on the Berryessa Creek Crossing, Abel Street Seismic Retrofit, and UPRR Railroad Relocation contract in the amount of \$3,425,000 for a new total contract amount of \$20,953,305. This contract is funded by the 2000 Measure A Program.

33. Removed from the Agenda and not heard:

Silicon Valley Rapid Transit Master Agreement between VTA and City of Milpitas

34. Silicon Valley Rapid Transit Program – Amendment to Engineering Services Contract with AECOM Technical Services, Inc.

M/S/C(Herrera/Gage) to authorize the General Manager to execute a contract amendment with AECOM Technical Services, Inc. (formerly known as Earth Tech, Inc.) in an amount not to exceed \$7.0 million, and extend the contract term to June 30, 2012, for engineering services for the Silicon Valley Berryessa Extension Project (SVBX) within the Silicon Valley Rapid Transit Program (SVRT). The current AECOM Technical Services, Inc. (AECOM) contract amount is \$43.3 million.

35. Silicon Valley Rapid Transit Program – Amendment to Engineering Services Contract with Booz Allen Hamilton, Inc.

M/S/C (Herrera/Gage) to authorize the General Manager to execute a contract amendment with Booz Allen Hamilton, Inc. in an amount of \$4.0 million, and extend the contract term to June 30, 2012, for design integration engineering services for the Silicon Valley Rapid Transit Program. The current Booz Allen Hamilton, Inc. contract amount is \$16.19 million.

36. Silicon Valley Rapid Transit Program – Amendment to Engineering Services Contract with HNTB Corporation

M/S/C(Herrera/Gage) to authorize the General Manager to execute a contract amendment with the HNTB Corporation in an amount not to exceed \$5.5 million, and extend the contract term to June 30, 2012, for engineering services for the Silicon Valley Berryessa Extension Project (SVBX) within the Silicon Valley Rapid Transit Program (SVRT). The current HNTB Corporation board authorized contract amount is \$83.34 million.

37. Silicon Valley Rapid Transit Program – Planning and Outreach Services Contract with Kimley-Horn and Associates, Inc.

M/S/C (Herrera/Gage) to authorize the General Manager to execute a contract amendment with Kimley-Horn and Associates, Inc. in an amount of \$3.3 million, and extend the contract term to June 30, 2012, for engineering services for the Silicon Valley Berryessa Extension Project (SVBX) within the Silicon Valley Rapid Transit Program (SVRT). The current Kimley-Horn and Associates, Inc. board authorized contract amount is \$9.5 million.

38. Silicon Valley Rapid Transit Program – Amendment to Engineering Services Contract with PGH Wong Engineering/PB Americas Joint Venture

M/S/C(Herrera/Gage) to authorize the General Manager to execute a contract amendment with PGH Wong Engineering, Inc. and PB Americas, Inc. (Wong/PB Joint Venture) in an amount not to exceed \$9.3 million, and extend the contract term to June 30, 2012, for engineering services for the Silicon Valley Berryessa Extension Project (SVBX) within the Silicon Valley Rapid Transit Program (SVRT). The current Wong/PB Joint Venture contract amount is \$30.7 million.

39. Fiscal Year 2010 Quarterly Statement of Revenues and Expenses for the Period Ending March 31, 2010

M/S/C(Herrera/Gage) to review and accept the Fiscal Year 2010 Quarterly Statement of Revenues and Expenses for the period ending March 31, 2010.

40. Programmed Project Monitoring – Quarterly Report

On order of Chairperson Liccardo, and there being no objection, the Programmed Projects Quarterly Monitoring Report for January 2010 - March 2010 was received.

41. Proactive CMP Quarterly Report for January-March 2010

On order of Chairperson Liccardo, and there being no objection, the Proactive CMP Quarterly Report for January through March 2010 was received.

42. March 2010 Facilities Projects Semi-Annual Report

On order of Chairperson Liccardo, and there being no objection, the Facilities Projects Semi-Annual Report was received.

REGULAR AGENDA

43. Advanced Farebox System Procurement

Ali Hudda, Deputy Director of Accounting, provided an overview of the staff report. He noted VTA's existing bus fareboxes are 22 years old, functionally obsolete, and the data they provide is limited and often inaccurate.

Mr. Hudda noted the proposed GFI Genfare Odyssey Validating Farebox integrates all passenger fare payment and fare media options into one convenient, secure device. It provides flexible fare strategies and the ability to provide a wide variety of traditional and electronic fare media options to passengers and transit agencies.

Mr. Hudda noted the "Clipper" Program (formerly Translink) is a regional electronic fare system sponsored by the Metropolitan Transit Commission (MTC). Clipper uses an electronic smart card which customers can load operator-specific passes. Fareboxes and Clipper are separate systems that will coexist on buses. Concept and technology for Clipper is similar to the FasTrak bridge toll payment system which is a payment option along with cash. Mr. Hudda also drew the distinction between fareboxes on buses and ticket vending machines at light rail stations.

Member Gage stated the Administration and Finance (A&F) Committee has reviewed the advanced farebox system and the Committee supports the staff recommendation.

Public Comment

Michael Ludwig, Interested Citizen, expressed concern about the ability of the new fareboxes to issue and verify both day passes and 8-hour excursion passes. Mr. Hudda answered in the affirmative about day passes.

M/S/C(Gage/Herrera) to authorize the General Manager to execute a contract in the amount of \$7,696,261 with GFI Genfare, of Elk Grove Village, Illinois (a subsidiary of SPX Corporation) for the purchase of 450 electronic validating bus fareboxes plus related revenue transfer equipment, data systems, spare parts, and supplies, with an option to purchase up to 50 additional fareboxes if needed to support VTA fleet requirements at a cost of \$11,400 each, for a total not-to-exceed contract value of \$8,266,261.

44. Substitution of Liquidity – 2008 Measure A Bonds

Joseph T. Smith, Chief Financial Officer, reported on the recommendation to deliver and execute any and all documents, including a Remarketing Memorandum to facilitate the replacement of Banco Cilboa Vizcaya Argentaria (BBVA) S.A. with Sumitomo Mitsui Banking Corporation as the liquidity provider for the 2008 Measure A Sales Tax Refunding Bond Series A-D.

He stated the 2000 Measure A Sales Tax Revenue Refunding Bonds, 2008 Series A-Series D (Measure A 2008 Bonds) were issued as uninsured variable rate demand bonds (VRDBs) in June 2008. These are long term bonds that pay interest at rates that are reset weekly by remarketing agents. The VRDBs provide investors with the option to “put” the bonds back to the issuer at each interest reset date.

Kimberly Koenig, Fiscal Resources Manager, reported BBVA informed VTA that it could not commit to an additional extension. She stated with the assistance of VTA’s financial advisor, Peter Ross of Ross Financial, staff selected Sumitomo Mitsui Banking Corporation to replace BBVA. An annual saving of \$0.065 million will be realized with the replacement of Sumitomo compared to current costs.

Ms. Koenig stated, due to the change in liquidity providers VTA is required to provide an updated disclosure document to investors. The Remarketing Memorandum is a disclosure document that is required by the Securities Exchange Commission (SEC).

Board Member Gage commented the Administration & Finance (A&F) Committee reviewed this item at their May 20, 2010 meeting. He stated the Committee was aware the Remarketing Memorandum is a disclosure document and should accurately reflect any statements concerning VTA. He reported the Committee unanimously recommended this item to the full Board for approval.

Board Member Herrera stated she supports the substitution of liquidity providers.

Public Comment

Ross Signorino, Interested Citizen, asked if VTA would be paying more in costs with Sumitomo Banking Corporation. Ms. Koenig commented that VTA will realize a saving of \$0.65 million annually with Sumitomo.

M/S/C(Herrera/Gage) to adopt a resolution authorizing the General Manager or Chief Financial Officer to execute and deliver any and all documents, including a Remarketing Memorandum in connection with the 2008 Measure A Sales Tax Revenue Refunding Bonds, that are required to implement the replacement of Banco Bilboa Vizcaya Argentaria S.A. with Sumitomo Mitsui Banking Corporation as liquidity provider for Series C and Series D.

45. Removed from the Agenda and not heard:

Authorize funding VTA's Partner Contribution for Caltrain's FY2011 Operating Expense, after consideration of recommendations from the General Manager concerning fund sources and VTA's payment obligations.

Member Gage left his seat at 6:47 p.m.
Member Matthews left his seat at 6:49 p.m.
Member Gage returned to his seat at 6:49 p.m.
Member Matthews returned to his seat at 6:51 p.m.
Member Woodward left his seat at 6:51 p.m.
Member Woodward returned to his seat at 6:53 p.m.

46. Senate Bill 83 – Vehicle Registration Fee

Scott Haywood, Policy and Communication Manager, provided an overview of the staff report. Mr. Haywood reported Senate Bill 83 (Hancock) was signed into law in 2009. He provided the results of the recent electorate polling.

Mr. Haywood reported on the recommendation to adopt a resolution to place a ballot measure before the voters in Santa Clara County in November 2010, to authorize a \$10 increase in the fees of motor vehicle registration for transportation-related projects and programs, adopt an expenditure plan allocating the revenue to transportation-related programs and projects that benefit to the persons who pay the fee, allocate \$1 million of Measure B Local Program Reserve funds to be used for costs associated with placing the measure on the ballot, and increase the expenditure appropriation in the amount of \$1 million in the FY2011 Congestion Management Program Fund Operating Budget.

Mr. Haywood noted the ballot measure requires a simple majority to pass with the expected revenues of \$14 million annually.

John Ristow, Chief CMA Officer, provided an update regarding the Expenditure Plan highlighting: 1) Return to Source Categories - 80 percent; 2) Regional Programs – 15 percent; 3) Finding of Fact including requirement of Statute, conducting of the Benefits Study and benefit to owners of automobiles.

Vice Chairperson Abe-Koga inquired about the Policy Advisory Committee's comments regarding a sunset. Mr. Haywood reported SB 83 authorizes a \$10 increase of fees and there is no sunset. He stated it would take legislation to increase the \$10 fee. Mr. Ristow commented this measure unlike previous measures does not identify specific projects.

Vice Chairperson Abe-Koga asked if the monies go back to the cities each year. Mr. Ristow commented the funds would be provided to the cities. He further noted the cities will be required to spend those funds in allowed categories.

Board Member Moylan supported recommendations from the Policy Advisory Committee to remove the HOV/HOT Lanes from the Expenditure Plan as he believed other Federal/State funding may be available to fund those highway projects. Board Member Moylan recommended the Expenditure Plan should only include items that have a direct benefit to the people paying the fees. He further recommended the removal of pedestrian & bicycle facilities, road lighting, landscaping installation and rehabilitation from the Expenditure Plan.

Board Member Herrera stressed the importance of maintaining roads and pavement improvements.

Board Member Gage recommended disclosing a percentage of monies that would be funded for each program.

M/S/C(Moylan/Gage) to 1) Adopt a resolution to place a ballot measure before the voters of Santa Clara County in November 2010 to authorize a \$10 increase in the fees of motor vehicle registration for transportation-related projects and programs, containing a finding of fact that the projects and programs to be funded by the fee increase have a relationship or benefit to the persons who will be paying the fee and the projects or programs are consistent with the Regional Transportation Plan; 2) Adopt an expenditure plan allocating the revenue to transportation-related programs and projects that have a direct relationship or benefit to the persons who pay the fee; 3) Allocate \$1,000,000 of Measure B Local Program Reserve funds to be used for the costs associated with placing the measure on the ballot; and, 4) Increase expenditure appropriation in the amount of \$1,000,000 in the FY 2011 Congestion Management Program Fund Operating Budget, and strike references to programs in the Resolution and Expenditure Plan that do not directly benefit the fee payor.

Public Comment

Ben Triposis, Transportation Policy Manager, City of San Jose, expressed the city's support of the recommendation.

Eugene Bradley, Silicon Valley Transit Users, expressed concern about public outreach regarding the proposed ballot measure.

Vice Chairperson Abe-Koga left her seat at 7:27 p.m.

Vice Chairperson Abe-Koga returned to her seat at 7:29 p.m.

47. FY2011 CMP Work Program

John Ristow, Chief CMA Officer, provided an overview of the staff report which recommends the annual approval of the FY2011 CMP Work Program and the Member Agency fees that partially fund the program.

He reported the Program report has been reviewed by the Policy Advisory Committee (PAC), the Technical Advisory Committee (TAC), and the Congestion Management Program and Planning (CMPP) Committee. The CMPP Committee voted unanimously to approve the Work Program as proposed by staff except to delay staff development

work on the Countywide Development Impact Fee and to reduce the overall member Agency fees associated with that work scope reduction from the current FY2010 level by 3.5 percent or approximately \$85, 000.

Board Member Moylan requested clarification regarding the CMPP recommendations to staff regarding the Agency fees. Mr. Ristow responded staff concurs with the committee recommendation to reduce Agency fees.

Board Member Moylan thanked staff for their diligence and hard work.

M/S/C(Pyle/Herrera) to approve the Fiscal Year 2011 Congestion Management Work Program and to approve the Work Program as proposed by staff and with the recommendation of the CMPP Committee to delay staff development work on the County Wide Development Impact Fee until at least January 2011 and to reduce the overall Member Agency fees associated with that work scope reduction from the current FY2010 level by 3.5 percent or approximately \$85,000.

OTHER ITEMS

48. ITEMS OF CONCERN AND REFERRAL TO ADMINISTRATION

There were no Items of Concern and Referral to Administration.

Public Comment

Paul Alvarado, Interested Citizen, expressed his support of Tamien Park and stressed the importance of parks in the community.

49. MONTHLY LEGISLATIVE HISTORY MATRIX

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

50. REPORTS (UNAPPROVED MINUTES) FROM STANDING COMMITTEES

A. Administration and Finance Committee

On order of Chairperson Liccardo and there being no objection, the May 20, 2010, Administration and Finance (A&F) Committee Meeting Minutes were accepted as contained in the Agenda packet.

B. Congestion Management Program and Planning Committee

On order of Chairperson Liccardo and there being no objection, the May 21, 2010, Congestion Management Program and Planning (CMPP) Committee Minutes were accepted as contained in the Agenda packet.

C. Transit Planning and Operations Committee

On order of Chairperson Liccardo and there being no objection, the May 20, 2010 Transit Planning and Operations (TP&O) Committee Minutes were accepted as contained in the Agenda packet.

D. Audit Committee

There was no Audit Committee meeting scheduled for April.

51. REPORTS (UNAPPROVED MINUTES) FROM ADVISORY COMMITTEES

A. Committee for Transit Accessibility (CTA) no meeting

There was no Committee for Transit Accessibility meeting scheduled for April.

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

On order of Chairperson Liccardo and there being no objection, the May 12, 2010, Citizens Advisory Committee (CAC) and 2000 Measure A Citizens Watchdog Committee (CWC) Minutes were accepted as contained in the Agenda Packet.

C. Bicycle & Pedestrian Advisory Committee (BPAC)

On order of Chairperson Liccardo and there being no objection, the May 12, 2010, Bicycle & Pedestrian Advisory Committee (BPAC) Minutes were accepted as contained in the Agenda packet.

D. Technical Advisory Committee (TAC)

On order of Chairperson Liccardo and there being no objection, the May 13, 2010, Technical Advisory Committee (TAC) Minutes were accepted as contained in the Agenda packet.

E. Policy Advisory Committee (PAC)

On order of Chairperson Liccardo and there being no objection, the May 13, Policy Advisory Committee (PAC) Minutes were accepted as contained in the Agenda Packet.

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

A. Peninsula Corridor JPB

On order of Chairperson Liccardo and there being no objection, the June 3, 2010, 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)

On order of Chairperson Liccardo and there being no objection, the May 26, 2010, Summary Notes from the Metropolitan Transportation Committee Meeting were accepted as contained on the dais.

E. Sunol Smart Carpool Lane Joint Powers Authority

On order of Chairperson Liccardo and there being no objection, the May 10, 2010, Summary Notes from the Sunol Smart Carpool Lane Joint Powers Authority Governing Board were accepted as contained on the dais.

53. 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 & BART Warm Springs Extension PAB

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

C. Downtown East Valley PAB

There was no report from the Downtown East Valley PAB.

54. ANNOUNCEMENTS

Ex-Officio Member Chu announced a celebration will be held Friday, June 4, 2010 at 10:30 am in Downtown Sunnvale for the Grand Reopening of Muphy Street Historic Park. The site rehabilitation was possible by the joint efforts of VTA/MTC with funds through the Liveable Communities Program.

55. ADJOURNMENT

On order of Chairperson Liccardo and there being no objection, the meeting was adjourned at 7:35p.m.

Respectfully submitted,

Jacqueline F. Golzio, Board Assistant
VTA Office of the Board Secretary