



BOARD OF DIRECTORS MEETING

Thursday, August 5, 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 5:37 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	Present
Marshall Anstandig	Alternate Board Member	Absent
Nora Campos	Alternate Board Member	Absent
Dean Chu	Ex-Officio Board Member	Present
Don Gage	Board Member	Present
Rose Herrera	Board Member	Present
Ash Kalra	Board Member	Present
Liz Kniss	Board Member	Present
Rich Larsen	Board Member	Present
Sam Liccardo	Chairperson	Present
Jamie Matthews	Alternate Board Member	Present
Pete McHugh	Alternate Board Member	Absent
Chris Moylan	Board Member	Present
Chuck Page	Board Member	Present
Nancy Pyle	Board Member	Present
Chuck Reed	Board Member	Absent
George Shirakawa	Alternate Board Member	Absent
Perry Woodward	Board Member	Present
Ken Yeager	Ex-Officio Board Member	Absent

* Alternates do not serve unless participating as a Member.

A quorum was present.

2. RECESS TO CLOSED SESSION at 5:38 p.m.

Alternate Board Member Matthews entered Closed Session at 5:40 p.m.

Board Member Abe-Koga entered Closed Session at 5:45 p.m.

Alternate Board Member Matthews left Closed Session at 5:45 p.m.

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

Name of Case: Sharon Reed vs. J. Chow and Valley Transit
(Santa Clara Superior Court No.: 1-09-CV-158800)

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

Name of Case: Benito Rabaria v. Santa Clara Valley Transportation Authority
(Santa Clara Superior Court Case No.: 1-08-CV-125642)

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

Name of Case: Fernando Sanchez v. Santa Clara Valley Transportation Authority
(Santa Clara Superior Court Case No.: 1-08-CV-122114)

- D.** Anticipated Litigation - Conference with Legal Counsel

Initiation of litigation pursuant to subdivision (c) of Government
Code Section 54956.9: Six Potential Cases

- E.** Anticipated Litigation-Conference with Legal Counsel
[Government Code Section 54956.9(b)]

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9:
One case involving termination of freight rail service to Clean Harbors
Environmental Services, Inc.

RECONVENED TO OPEN SESSION at 6:09 p.m.

3. CLOSED SESSION REPORT

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

Name of Case: Sharon Reed vs. J. Chow and Valley Transit
(Santa Clara Superior Court No.: 1-09-CV-158800)

There was no reportable action taken during Closed Session.

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

Name of Case: Benito Rabaria v. Santa Clara Valley Transportation Authority
(Santa Clara Superior Court Case No.: 1-08-CV-125642)

There was no reportable action taken during Closed Session.

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

Name of Case: Fernando Sanchez v. Santa Clara Valley Transportation Authority
(Santa Clara Superior Court Case No.: 1-08-CV-122114)

There was no reportable action taken during Closed Session.

D. Anticipated Litigation - Conference with Legal Counsel

Initiation of litigation pursuant to subdivision (c) of Government Code Section 54956.9: Six Potential Cases

There was no reportable action taken during Closed Session.

E. Anticipated Litigation - Conference with Legal Counsel
[Government Code Section 54956.9(b)]

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9:
One case involving termination of freight rail service to Clean Harbors Environmental Services, Inc.

There was no reportable action taken during Closed Session.

4. ORDERS OF THE DAY

Chairperson Liccardo reported Staff requested the following:

- Move the following Agenda Items from the Regular Agenda and place on the Consent Agenda: **Item #22.** Authorize the General Manager to execute an Amendment to the Cooperative Agreement with Santa Clara Valley Water District Regarding the Combined Transportation and Flood Control Protection Improvements Across Lower Berryessa Creek adding the Wrigley Creek Improvements to the scope of the Agreement. The proposed amendment will be for \$3.26 million, of which VTA's share is \$2.35 million and the Santa Clara Valley Water District's share is \$0.91 million. VTA's share is 100% funded from the 2000 Measure A Program; and **Item #23.** Approve the recommended 2010 CMA Block Grant program of projects that includes the Local Streets and Roads Program, Community Design and Transportation Program, and Bicycle Expenditure Program.
- Remove from the Agenda: **Item #17.** Authorize the General Manager to grant an Easement to AT&T for a fee of \$24,000, for the placement of conduit beneath VTA's light rail tracks at Leigh Ave and Southwest Expressway.

Chairperson Liccardo requested that **Item #8.** Report from the Chairperson, Right-of-Way Acquisition Process, be moved to the Regular Agenda and heard right before **Item #25.** SVBX Draft Relocation Plan.

Chairperson Liccardo noted that the meeting would adjourn in memory of Father Paul Locatelli, who passed away on July 12, 2010. Father Paul Locatelli was a great supporter of VTA and the BART Project.

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

5. AWARDS AND COMMENDATIONS

A. Employees of the Month for July and August 2010, and Supervisor of the Quarter

Chairperson Liccardo recognized and presented an award to Emma Bryand-Madrid, Coach Operator, Chaboya Division; and Guy Bavoukian, Transit Foreperson, Chaboya Maintenance Division, as Employees of the Month for July 2010; and Lalitha Konanur, Operations System Supervisor, River Oaks, as Supervisor of the Quarter for the third quarter of 2010. Silvia Ramirez, Information Services Representative, River Oaks Administration, was unable to attend.

Chairperson Liccardo also recognized and presented an award to Jeff Larner, Transit Mechanic, Cerone Maintenance Division, as Employee of the Month for August 2010. Robert Belden, Communications Systems Analyst, River Oaks Administration; and Mehran Adl, Light Rail Operator, Guadalupe Division, were unable to attend.

Board Member Kalra took his seat at 6:16 p.m.

B. Resolution for Retiring Employee, Facilities Maintenance Assistant, Diane Alves

Chairperson Liccardo recognized and presented an award to Diane Alves, Facilities Maintenance Assistant, for 38 years of outstanding service.

On order of Chairperson Liccardo and there being no objection, the Board of Directors adopted **Resolution No. 2010.08.19** recognizing Diane Alves, Facilities Maintenance Assistant, for 38 years of service.

6. PUBLIC PRESENTATIONS

Deni Urosevic, Interested Citizen, expressed concern regarding the time schedule conflicts of VTA bus lines 48 and 49 to Los Gatos from the Winchester Light Rail Station and bus line 82 at Hamilton Light Rail Station. He indicated the light rail arrives after the buses have departed and recommended the schedules be adjusted to make it convenient for riders.

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

James Wightman, Interested Citizen, expressed concern regarding graffiti at the Great America Light Rail Station and plans for the 49ers Stadium. Chairperson Liccardo requested that VTA staff speak with Mr. Wightman to answer his questions.

Alice Frayne, Interested Citizen, noted since March 2010, she has discussed the issue of legislation without representation. She expressed concern regarding the lack of VTA routes covering the County building on Thursday evenings, noting it prevents citizens from voicing their concerns at the meetings where VTA policies are determined. Ms. Frayne requested that VTA provide personal transportation for anyone who cannot get home after the Board of Directors' evening meetings.

Michael Ludwig, Interested Citizen, expressed concern regarding the automated announcement system on VTA buses and recommended that announcements should only be made when the front doors are opened.

Omar Chatty, Interested Citizen, referenced Senate Bill 83 – Vehicle Registration Fee and queried about the allocated \$1 million to be used for placing the measure on the ballot and which Measure B Program the funds would be coming from. Mr. Chatty expressed his opposition to a toll road on State Route 152 and requested a resolution from VTA indicating that a toll road not be placed on the route. Mr. Chatty queried about the schedule of the Route 152 Trade Corridor Project Mobility Partnership Briefing meetings.

Jim Fink, Interested Citizen, urged the restoration of bus line 76 and a segment of line 27 on Highway 9 going into Saratoga, noting that the service no longer existed. He noted that bus line 37 serving West Valley College was not adequate if someone wanted to travel to central Saratoga. He recommended that service be placed on Foxworthy Avenue between Lee and Meridian. Mr. Fink also expressed concern regarding VTA's financial situation and asked why VTA could not receive federal funding to restore its service.

7. REPORT FROM THE GENERAL MANAGER

Mr. Burns provided a report on the following:

- VTA's overall system-wide ridership for June 2010 declined 7.5 percent when compared to June 2009. Bus and Light Rail average weekday ridership declined 8.7 percent and 3.7 percent, respectively. The decline in ridership is attributed to the economy, continued unemployment, one fewer school week in June this year, and fewer summer school programs. Noted there was an increase in average weekday ridership for May 2010 compared to May 2009.
- Sales tax receipts for Fiscal Year (FY) 10 currently projected to reflect about a three percent decline overall, down from the six percent projected decline in June 2010. FY 10 sales tax revenues will be finalized in mid-September 2010, and VTA expects to meet its FY 10 budget targets primarily through the implementation of cost-cutting measures, including eight percent service cuts, labor savings, and the maximization of one-time sources. As a result, VTA will have a slight positive balance in the budget for FY 10, approximately \$6 million. VTA is still projecting an \$8 million deficit for

2011, down from \$23 million in the original budget.

- The first pilot Low-emission Diesel Electric Hybrid bus deliveries have begun. VTA is undergoing a series of inspections and tests, and VTA personnel will receive training on the new hybrid technology. The pilot hybrid bus will be viewed by several of the Advisory and Standing Committees in August 2010, and at the Board of Directors meeting on September 2, 2010. Production of the hybrid buses will begin on September 13, 2010, and will be produced at a rate of approximately one per day. Delivery will begin in early October 2010 and continuing in early January 2011. The first hybrid buses will be available for revenue service starting in mid-October and all 70 hybrid buses will be in revenue service by end of January 2011. Also, VTA received stimulus funds as a result of the Oakland Airport Connector being delayed. Initially, the Board of Directors adopted a position to use those funds for maintenance, but the Federal Transit Administration (FTA) informed VTA that the additional funds were restricted to the original grant for bus purchase. Through financial swaps VTA will be able to use the funds to purchase an additional 20 hybrid buses for a total of 90 hybrid buses in its fleet.
- In July 2010, bids for the Highway 101 Tully Road Interchange Project were opened. The apparent low bidder was RGW Construction for \$26,299,496, representing more than a \$10 million savings when compared to the Engineer's Estimate. The Project is funded by Corridor Mobility Improvement Account (CMIA) funds; construction is anticipated to begin in the fall and completed by summer 2012. VTA is working with the Metropolitan Transportation Commission (MTC) and Caltrans to apply the savings to the next phase of the Highway 101 improvements, which is improving traffic conditions at Capitol Expressway and Yerba Buena Road.
- VTA is partnering with the AT&T San Jose Jazz Festival on August 13–15, 2010. Chairperson Liccardo will be introducing the opening performance act.
- Father Paul Locatelli passed away on July 12, 2010. Father Locatelli served as President of Santa Clara University for over 20 years and was a strong supporter of VTA. The memorial service was held on July 16, 2010, and was attended by over a thousand people. VTA sent flowers on behalf of the Board of Directors and staff. The VTA Board of Directors would be adjourning tonight's meeting in honor of Father Locatelli.

Vice Chairperson Abe-Koga requested updated information on VTA's ten-year operating projections.

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

REPORT FROM THE CHAIRPERSON

- **Right-of-Way Acquisition Process**

9. Update on Caltrans District 4 Activities in Santa Clara County

Bijan Sartipi, Caltrans District 4 Director, provided an update on Caltrans District 4 activities, highlighting: 1) District Overview; 2) Status of major projects: Corridor Mobility Improvement Account (CMIA), American Recovery and Reinvestment (ARRA), State and local; 3) Right of Way Relinquishment; 4) Maintenance efforts; and 5) Operations.

Board Member Page thanked Mr. Sartipi and the Caltrans team for all of their hard work in working with the surrounding community to address issues with regards to projects on Highway 9. With regards to improvements on the hillside of Highway 9, he recommended that stronger outreach efforts be made to communicate with the surrounding community located down the hillside.

Board Member Kalra referenced the project at the pedestrian overcrossing just south of Blossom Hill at Monterey Highway and expressed concern regarding the delays in the project. He recommended that Caltrans take the necessary steps to advance the project.

Board Member Herrera expressed the excitement of residents regarding the Highway 101 project improvements. She commended the Caltrans staff for a job well done and thanked Mr. Sartipi for going to the California Transportation Commission (CTC) to ask for \$10 million to fund the Highway 101 – Capitol Expressway/Yerba Buena project and offered her assistance.

Chairperson Liccardo thanked Mr. Sartipi for his leadership on the development of transportation operations in Santa Clara County.

Mr. Sartipi thanked John Ristow, Chief CMA Officer, and staff for their support.

Public Comment:

Omar Chatty, Interested Citizen, expressed opposition to the route relinquishment of State Route (SR) 82 and SR 130. He asked what it would take to convert the Intelligent Transportation System (ITS) into a vehicle miles traveled (VMT) tracking system. He noted the importance of SR 130, stating the benefits include mileage savings, congestion relief, and balancing the transportation system.

10. Report from the Ad-Hoc Financial Recovery Committee

Board Member Gage provided a report on the August 4, 2010 Ad-Hoc Financial Recovery Committee meeting, highlighting: 1) Committee approved a revised Workplan and Process through the end of August 2010; 2) Committee agreed to meet weekly in August 2010, to come to a conclusion by the September 2, 2010 Board Meeting. The Committee's intention is to provide the Board with policy level recommendations. If the Board adopts these policy recommendations, then the Board will direct VTA staff to develop the FY2012-2013 budget in a way that meaningfully controls VTA's costs; 3) Committee received a presentation from consultant, Bob Kuo, that dramatically showed how VTA's costs, particularly the wages and benefits, continually outstrip

VTA's revenue; and 4) Committee approved Priorities to guide the discussions that places Preservation of Service as the first priority.

Board Member Gage directed attention to the document containing the Objectives and Process the Committee adopted on August 4, 2010, and the Workplan which included a high level description of the areas the Committee will provide policy recommendations to the Board. On August 11, 2010, the Committee will complete the discussion on the use of Capital Funds and discuss Internal Efficiencies.

Board Members Moylan and Kniss expressed concern regarding labor/benefits costs. Board Member Gage noted all of the details pertaining to benefits cost would be presented at the August 18, 2010 Ad-Hoc Financial Recovery Committee meeting. A report containing the Committee's policy recommendations would be provided at the September 2, 2010 Board of Directors meeting.

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

There was no Citizens Advisory Committee (CAC) Chairperson's Report.

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

There was no Policy Advisory Committee (PAC) Chairperson's Report.

CONSENT AGENDA

M/S/C (Kniss/Gage) to approve the Consent Agenda, as amended.

13. Board of Directors Regular Meeting Minutes of June 3, 2010

M/S/C (Kniss/Gage) to approve the Board of Directors Regular Meeting Minutes of June 3, 2010.

14. BPAC Appointments and Re-Appointments

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

New Appointments:

- Lisa Aragon, City of Morgan Hill and Steven Levin, County of Santa Clara, for term commencing August 2010 to June 30, 2012.

Reappointments:

- David Simons, City of Sunnyvale and Richard Ruh, City of Monte Sereno, for term commencing August 2010 to June 30, 2012.

15. Citizens Advisory Committee Appointment

M/S/C (Kniss/Gage) to ratify the nomination of Jeremy Barousse to the Citizens Advisory Committee representing the South Bay AFL-CIO Labor Council.

16. TIGER II Grant Application – BART Hayward Yard

M/S/C (Kniss/Gage) to adopt a sponsoring agency **Resolution No. 2010.08.20** 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; and further, authorized 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. (Removed from the Agenda.)

Authorize the General Manager to grant an Easement to AT&T for a fee of \$24,000, for the placement of conduit beneath VTA's light rail tracks at Leigh Ave and Southwest Expressway.

18. Investment Controls Internal Audit

M/S/C (Kniss/Gage) to receive a Report on the Investment Controls Internal Audit.

19. VTP Highway Program Semi-Annual Report – April 2010

M/S/C (Kniss/Gage) to receive the VTP Highway Program Semi-Annual Report - April 2010.

22. Freight Railroad Relocation: Cost Share Agreement with Santa Clara Valley Water District for Wrigley Creek

M/S/C (Kniss/Gage) to authorize the General Manager to execute an Amendment to the Cooperative Agreement with Santa Clara Valley Water District Regarding the Combined Transportation and Flood Control Protection Improvements Across Lower Berryessa Creek adding the Wrigley Creek Improvements to the scope of the Agreement. The proposed amendment will be for \$3.26 million, of which VTA's share is \$2.35 million and the Santa Clara Valley Water District's share is \$0.91 million. VTA's share is 100% funded from the 2000 Measure A Program.

23. 2010 CMA Block Grant Awards

M/S/C (Kniss/Gage) to approve the recommended 2010 CMA Block Grant program of projects that includes the Local Streets and Roads Program, Community Design and Transportation Program, and Bicycle Expenditure Program.

REGULAR AGENDA

20. Review and Approve FY 11 Internal Audit Plan

Michael T. Burns, General Manager, introduced Greg Thomas, Auditor General, and Farah Faruqui, Partner, of Deloitte & Touche, LLP. Mr. Thomas replaced retired Auditor General Pat Hagan. Mr. Thomas is a Principal in Deloitte & Touche's Enterprise Risk Services Practice.

Greg Thomas, Auditor General, reported that a risk assessment was conducted to identify the risks of the organization. From the assessment, a two-year audit plan was developed and the FY 2010 internal audit work plan was approved, which included five audit projects. The following two audit projects were deferred and are planned to be completed in FY 2011: 1) SVRT contract compliance; and 2) Investment control design assessment. He reported on the FY 2011 internal audit plan budget and timeline.

Board Member Moylan referenced the audit on the SVRT contract compliance and asked why the assessment to be conducted was considered a high priority. Ms. Faruqui noted any construction project was typically considered to be risky and given the magnitude of the SVRT project, it was important to have an independent view of processes.

M/S/C (Herrera/Pyle) to approve the Fiscal Year 2011 (FY11) Internal Audit Plan developed by the VTA Auditor General, and authorize the General Manager to execute all necessary task orders with Deloitte & Touche LLP to conduct the projects under the FY11 internal audit work plan.

21. Clipper Fare Collection System MOU

Ali Hudda, Deputy Director of Accounting, reported the Clipper Fare Collection System (Clipper) formerly known as TransLink is a regional electronic transit fare collection system sponsored by MTC.

Mr. Hudda reported that MTC remained the manager of the Clipper Fare Contract since its initial development in 1999. In December 2003, MTC and six Bay Area transit operators entered into an Interagency Participation Agreement (IPA) creating the TransLink Consortium. In November 2009, MTC gave notice to the transit operators that unless another party agreed to take over management of the contract, MTC would withdraw from the Translink Consortium on June 30, 2010. MTC has since withdrawn from the Translink Consortium and terminated the IPA. In place of the IPA, MTC has proposed a Memorandum of Understanding (MOU), which will provide the means for MTC and the operators to agree to their continuing roles and obligations regarding the implementation, operation, and maintenance of Clipper.

With respect to VTA's implementation of the Clipper, when the item was forwarded by the Administration and Finance Committee in May 2010, there were three open issues. Two have been resolved to VTA's satisfaction, specifically pertaining to the Independent Verification of Fare Revenue and Funding for Ticket Vending Machine Integration. The third issue pertaining to the VTA Fare Products (Day Pass) remains open, noting progress

has been made since May 2010. This issue is a high priority with both MTC and Cubic Transportation Systems. Cubic has submitted a proposal, which is presently being reviewed by MTC and VTA.

Board Member Larsen expressed concern about VTA's share of the operating cost. Mr. Hudda indicated VTA's payments do not begin until the Clipper System is fully implemented, noting the fiscal impact.

Chairperson Liccardo referenced VTA's total share of the Clipper operating costs from FY 2011 through 2019 and expressed concern regarding the additional expenses VTA will incur for staff support of Clipper activities, including training, coordination, marketing, accounting, equipment maintenance, and customer service. He queried if VTA was negotiating a cap on the expenditures. Mr. Hudda reported on MTC's cost sharing obligations, noting the support of the Clipper costs is being covered by MTC. Chairperson Liccardo requested a report in writing indicating that MTC would cover the costs.

Vice Chairperson Abe-Koga expressed concern about the five-year delay of the Clipper System implementation and queried about the risk of the technology being outdated by the time of roll out. Mr. Hudda noted the program is managed by MTC and that MTC has provisions for upgrades.

Ex-Officio Board Member Chu noted that MTC has an implementation plan for all of the major transit operators within the Bay Area and noted one of the penalties was potentially withholding operating funds allocated by MTC.

Board Member Moylan stressed the importance of VTA being part of the program, noting the whole goal is to increase ridership.

M/S/C (Herrera/Moylan) to authorize the General Manager to execute a Memorandum of Understanding with the Metropolitan Transportation Commission and other transit operators to implement the Clipper fare collection system at VTA.

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

Authorize the General Manager to execute an Amendment to the Cooperative Agreement with Santa Clara Valley Water District Regarding the Combined Transportation and Flood Control Protection Improvements Across Lower Berryessa Creek adding the Wrigley Creek Improvements to the scope of the Agreement. The proposed amendment will be for \$3.26 million, of which VTA's share is \$2.35 million and the Santa Clara Valley Water District's share is \$0.91 million. VTA's share is 100% funded from the 2000 Measure A Program.

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

Approve the recommended 2010 CMA Block Grant program of projects that includes the Local Streets and Roads Program, Community Design and Transportation Program, and Bicycle Expenditure Program.

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

Carolyn Gonot, Chief SVRT Program Officer, provided an overview of the Silicon Valley Rapid Transit Master Agreement between VTA and the City of Milpitas supporting the BART Silicon Valley Project. A report was provided indicating project features referenced in the Master Agreement and to inform the Board of Directors about the implementation strategies discussed between VTA and the City of Milpitas. The Master Agreement was approved by the Milpitas City Council on August 3, 2010.

M/S/C (Gage/Woodward) to authorize the General Manager to enter into a master agreement with the City of Milpitas in support of the BART Silicon Valley Project. This agreement will include provisions to ensure a commitment of cooperation from both parties.

8. REPORT FROM THE CHAIRPERSON

• **Right-of-Way Acquisition Process**

Bijal Patel, Deputy Director of Property Development and Management, provided a presentation on VTA's Right-Of-Way Acquisition Process, highlighting: 1) Legal Framework (Eminent Domain/Condemnation); 2) General Steps: a. Appraisal process; b. Negotiations and Settlement; c. Property Owner Outreach; d. Resolution of Necessity (RON); e. Legal Proceedings (Condemnation); 3) Role of VTA Board of Directors in the Right-Of-Way Process; and 4) Report on Near Term Projects that are actively in the process of either acquiring right-of-way, have already acquired right-of-way, or nearing completion of negotiations.

Board Member Moylan expressed concern regarding the property owners' rights in the appraisal process.

Board Member Larsen expressed concern regarding the outreach efforts conducted in the process.

On order of Chairperson Liccardo and there being no objection, the presentation on the Right-of-Way Acquisition Process was received.

25. SVBX Draft Relocation Plan

Carolyn Gonot, Chief SVRT Program Officer, reported the Silicon Valley Berryessa Extension (SVBX) Project was awarded a Record of Decision (ROD) for its federal environmental document on June 24, 2010. With this action, VTA can now begin the acquisition of the requisite right-of-way for the Project.

Ms. Gonot reported on the diligent work of the SVBX Project team to plan the Project in a manner that will minimize the number of potential acquisitions and displacements. But certain displacements may be unavoidable. Prior to acquiring property that may cause displacement, federal and state law requires a public agency to plan appropriately for

persons and businesses that are impacted by public agencies acquisitions of property. In California such planning is required to be documented in a Relocation Plan and formally adopted by the respective agencies' legislative body.

Bijal Patel, Deputy Director of Property Development and Management, provided a presentation on the BART SVBX Draft Relocation Plan, highlighting: 1) Statutory Requirements at both the Federal and State level; and 2) General Requirements. Ms. Patel reported the Draft Relocation Plan will be available to the public for review/comment beginning on August 6, 2010 through September 10, 2010. VTA staff will then respond to comments and will present a final Relocation Plan to the Board of Directors for review and adoption in November 2010. The law requires that prior to proceeding with any displacement activities that a Relocation Plan must be adopted. The current project schedule has acquisitions for the first phase of the project starting in December 2010.

Karen Eddleman, SVBX Project Team, continued the presentation on the Draft Relocation Plan, highlighting: 1) Relocation Plan Preparation (Property Owner/Tenant Outreach and Relocation Plan Research); 2) Summary of Potential Impacts; and 3) Relocation Assistance Program.

On order of Chairperson Liccardo and there being no objection, an informational presentation on Silicon Valley Berryessa Extension (SVBX) Draft Relocation Plan was received.

OTHER ITEMS

26. ITEMS OF CONCERN AND REFERRAL TO ADMINISTRATION

Chairperson Liccardo requested a report back on increasing safety for passengers standing on VTA articulated buses.

27. 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.

28. REPORTS (UNAPPROVED MINUTES) FROM STANDING COMMITTEES

A. Administration and Finance Committee

There was no report from the Administration and Finance Committee.

B. Congestion Management Program and Planning Committee

There was no report from the Congestion Management Program and Planning Committee.

C. Transit Planning and Operations Committee

There was no report from the Transit Planning and Operations Committee.

D. Audit Committee

On order of Chairperson Liccardo and there being no objection, the June 3, 2010, Audit Committee Minutes were accepted as contained in the Agenda packet.

29. REPORTS (UNAPPROVED MINUTES) FROM ADVISORY COMMITTEES

A. Committee for Transit Accessibility (CTA)

On order of Chairperson Liccardo and there being no objection, the July 7, 2010 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)

On order of Chairperson Liccardo and there being no objection, the June 9, 2010 Citizens Advisory Committee (CAC) and 2000 Measure A Citizens Watchdog Committee (CWC) Minutes and July 7, 2010 Notice of Cancellation 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 June 9, 2010 and July 7, 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 June 10, 2010 Technical Advisory Committee (TAC) Notice of Cancellation and July 8, 2010 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 June 10, 2010 and July 8, 2010 Policy Advisory Committee (PAC) Notices of Cancellation were accepted as contained in the Agenda packet.

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

A. Peninsula Corridor JPB

On order of Chairperson Liccardo and there being no objection, the July 1, 2010, Summary Notes from the Peninsula Corridor Joint Powers Board were accepted as contained on the dais.

B. Capitol Corridor JPB

On order of Chairperson Liccardo and there being no objection, the June 16, 2010, Summary Notes from the Capitol Corridor Joint Powers Board were accepted as contained on the dais.

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 June 23, 2010 and July 28, 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 June 14, 2010 and July 12, 2010 Summary Notes from the Sunol Smart Carpool Lane Joint Powers Authority Governing Board were accepted as contained on the dais.

31. 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 and BART Warm Springs Extension PAB.

C. Downtown East Valley PAB

There was no report from the Downtown East Valley PAB.

32. ANNOUNCEMENTS

There were no Announcements.

33. ADJOURNMENT

On order of Chairperson Liccardo and there being no objection, the meeting was adjourned at 8:29 p.m. in memory of Father Paul Locatelli.

Respectfully submitted,

Tracene Y. Crenshaw, Board Assistant
VTA Office of the Board Secretary