



BOARD OF DIRECTORS MEETING

Thursday, January 6, 2011

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 Abe-Koga at 5:37 p.m. in the Board of Supervisors' Chambers, County Government Center, 70 West Hedding Street, San José, California.

1. ADMINISTER OATH OF OFFICE

Sandra A. Weymouth, VTA Board Secretary, administered the Oath of Office to newly appointed Board Member Xavier Campos, representing the City of San José.

2. ROLL CALL

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

* Alternates do not serve unless participating as a Member.

A quorum was present.

3. RECESS TO CLOSED SESSION 5:40 p.m.

Existing Litigation - Conference with Legal Counsel

[Government Code Section 54956.9(a)]

Name of Case: Wang v. Santa Clara Valley Transportation Authority
(Santa Clara Superior Court Case No.: 1-09-CV-156561)

Member Yeager entered Closed Session at 5:43 p.m.

Member Reed entered Closed Session at 5:44 p.m.

RECONVENED TO OPEN SESSION 5:52 p.m.

4. CLOSED SESSION REPORT

Existing Litigation - Conference with Legal Counsel

[Government Code Section 54956.9(a)]

Name of Case: Wang v. Santa Clara Valley Transportation Authority
(Santa Clara Superior Court Case No.: 1-09-CV-156561)

There was no reportable action taken during Closed Session.

5. PUBLIC PRESENTATIONS

William Ross, representing businesses on California Avenue in Palo Alto, requested the Board reconsider from the December 9, 2010, Board meeting, Agenda Item #19, *Approve the recommended projects for the Community Design and Transportation Program*, which would reduce traffic lanes on California Avenue in Palo Alto from four lanes to two lanes. Chairperson Abe-Koga referred Mr. Ross to VTA General Counsel, Kevin Allmand.

Tim L. Ranz, concerned citizen, expressed concern over an intoxicated bus passenger. Chairperson Abe-Koga referred Mr. Ranz to Patrick Griffin, Manager of Public Affairs and Customer Information.

James Wightman, concerned citizen, questioned the timing for the Clipper Card's introduction to Santa Clara County. Michael T. Burns, General Manager, stated there would be a limited rollout of the Clipper Card in February 2011.

Michael Ludwig, concerned citizen, expressed disappointment with the placement of Public Presentations on the current Board agenda. He encouraged Chairperson Abe-Koga to place Public Presentations after Awards and Commendations on future agendas to provide additional travel time for members of the working public who wish to speak to the Board.

6. ORDERS OF THE DAY

Chairperson Abe-Koga moved the following items from the Regular Agenda to the Consent Agenda: 1) Agenda Item #23, *2011 Legislative Program for the Santa Clara Valley Transportation Authority (VTA)*; 2) Agenda Item #24, *2010 Election Results*; and 3) Agenda Item #26, *Readvertised Blossom Hill Pedestrian Overcrossing*.

Member Reed noted that he would abstain from the Consent Agenda per Government Code section 84308.

Member Liccardo noted that he would abstain from Agenda Item #14, *On-Call General Environmental Engineering Services*, per Government Code section 84308.

M/S/C (Kniss/Herrera) on a vote of 11 ayes to 0 noes and 1 abstention to accept the Orders of the Day and approve the Consent Agenda with the exclusion of Agenda Item #14, *On-Call General Environmental Engineering Services*. Board Member Reed abstained.

M/S/C (Kniss/Herrera) on a vote of 10 ayes to 0 noes and 2 abstentions to approve Agenda Item #14, *On-Call General Environmental Engineering Services*. Board Members Reed and Liccardo abstained.

CONSENT AGENDA

7. Regular Meeting Minutes of December 9, 2010

M/S/C (Kniss/Herrera) on a vote of 11 ayes to 0 noes and 1 abstention to approve the Board of Directors Regular Meeting Minutes of December 9, 2010. Board Member Reed abstained.

8. Committee for Transit Accessibility Appointments

M/S/C (Kniss/Herrera) on a vote of 11 ayes to 0 noes and 1 abstention to approve the re-appointments of Troy Hernandez (2011-2012) and Aaron Morrow (2011-2012) to the Committee for Transit Accessibility (CTA) for specified two-year terms, representing persons with disabilities; and further, approve the re-appointments of the Independence Network (2011-2012), and the Silicon Valley Independent Living Center (2011-2012), to the CTA for specified two-year terms, representing Human Services Agencies. Board Member Reed abstained.

9. Quarterly Public Liability/Property Damage Claims Report

M/S/C (Kniss/Herrera) on a vote of 11 ayes to 0 noes and 1 abstention to review First Quarter FY 2011 Public Liability/Property Damage Claims Activity Report. Board Member Reed abstained.

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

10. Quarterly Workers' Compensation Claims and Transitional Work Program

M/S/C (Kniss/Herrera) on a vote of 11 ayes to 0 noes and 1 abstention to review First Quarter FY 2011 Report of Workers' Compensation Claims and Transitional Work Program. Board Member Reed abstained.

11. Monthly Investment Report - October 2010

M/S/C (Kniss/Herrera) on a vote of 11 ayes to 0 noes and 1 abstention to receive a Report on Santa Clara Valley Transportation Authority Investments for the Month of October 2010. Board Member Reed abstained.

12. Quarterly Purchasing Report

M/S/C (Kniss/Herrera) on a vote of 11 ayes to 0 noes and 1 abstention to review the Quarterly Purchasing Report for July 1 through September 30, 2010. Board Member Reed abstained.

13. Contract Amendment Mark Thomas & Company, Inc.

M/S/C (Kniss/Herrera) on a vote of 11 ayes to 0 noes and 1 abstention to authorize the General Manager to execute a contract amendment with Mark Thomas & Company, Inc. in an amount not-to-exceed \$3,200,000 for the I-280/I-880/Stevens Creek Boulevard Interchange Project Phase 1 final design services, and extend the current contract through December 31, 2013; and further authorize the allocation of \$1,655,000 in local program reserves to provide matching funds for the \$19,500,000 federal grant funds on this project. Board Member Reed abstained.

14. On-Call General Environmental Engineering Services

M/S/C (Kniss/Herrera) on a vote of 10 ayes to 0 noes and 2 abstentions to authorize the General Manager to increase, from \$2.5 million to \$4.5 million, the total not-to-exceed value of eight On-Call General Environmental Engineering Services task order contracts with the following firms: Earth Tech, Inc.; Geocon Consultants, Inc.; Kennedy/Jenks Consultants, Inc.; Kleinfelder, Inc; LFR, Inc.; Locus Technologies; Northgate Environmental Management, Inc.; and SECOR International, Inc. Board Members Reed and Liccardo abstained.

15. Clipper Fare Collection System Program Update

M/S/C (Kniss/Herrera) on a vote of 11 ayes to 0 noes and 1 abstention to receive Clipper Fare Collection System Program Update. Board Member Reed abstained.

16. VTP Highway Program Semi-Annual Report

M/S/C (Kniss/Herrera) on a vote of 11 ayes to 0 noes and 1 abstention to receive the VTP Highway Program Semi-Annual Report. Board Member Reed abstained.

23. 2011 Legislative Program

M/S/C (**Kniss/Herrera**) on a vote of 11 ayes to 0 noes and 1 abstention to approve the 2011 Legislative Program for the Santa Clara Valley Transportation Authority (VTA). Board Member Reed abstained.

24. 2010 Election Results

M/S/C (**Kniss/Herrera**) on a vote of 11 ayes to 0 noes and 1 abstention to accept and declare the final results of the election for Measure B as set forth in the Statement of Votes and Certificate of Election Results for the General Election held on November 2, 2010, pursuant to Elections Code Section 15400. Board Member Reed abstained.

26. Readvertise Blossom Hill Pedestrian Overcrossing

M/S/C (**Kniss/Herrera**) on a vote of 11 ayes to 0 noes and 1 abstention to authorize the General Manager to execute a contract with Gordon N. Ball, the lowest responsive and responsible bidder, in the amount of \$4,751,205 for the construction of the Blossom Hill Pedestrian Overcrossing. This contract is funded through a combination of federal, state, and Measure A funds. Board Member Reed abstained.

CEREMONIAL ITEMS/SPECIAL REPORTS

17. AWARDS AND COMMENDATIONS

A. Employees of the Month for December 2010

Chairperson Abe-Koga recognized Angela Sipp, Public Communication Specialist II, River Oaks Administration; Omer Kassa, Coach Operator, Chaboya Division; and Gerry Welin, Support Mechanic, Cerone Overhaul and Repair Division as Employees of the Month for December 2010.

Employees of the Month for January 2011

Chairperson Abe-Koga recognized John Angelescu, Construction Inspector, River Oaks Administration; Craig Edwards, Coach Operator, Cerone Division; Rey Operario, Service Mechanic, North Division as Employees of the Month for January 2011.

Supervisor of the Quarter for the 1st quarter of 2011

Chairperson Abe-Koga recognized Jesse Soto, Facilities Maintenance Coordinator, Cerone Division and River Oaks as Supervisor of the Quarter for the first quarter of 2011.

B. 2010 Board of Directors' Chairperson Sam Liccardo

The Board recognized the contributions of the outgoing 2010 Board Chairperson Liccardo.

18. REPORT FROM THE GENERAL MANAGER

Michael T. Burns, General Manager, provided a ridership report and stated for the period of November 2010, compared with November 2009, light rail boardings were up by 2.9 percent and bus boardings were down 3.9 percent on an average weekday basis; combined, this is a reduction of 2.3 percent for the overall system for average weekday boardings. Mr. Burns noted a 3-percent reduction had been projected due to the fare increase.

Mr. Burns reported the visual look of the Airport Flyer Service will change with the introduction of the new hybrid buses. The buses, expected to be in service at the end of January 2011, will have a new interior, cushioned seats, luggage racks, as well as other amenities for airport travelers. Mr. Burns directed the Board's attention to the handout on the dais and public table, which provided a graphic rendering of the buses' exterior.

Receive an update on Budget Assumptions for preparation of the FY 2012 and FY 2013 budget.

Mr. Burns stated the purpose for bringing the basic budget assumptions to the Board's attention was to provide the Board with an advance look at some of the overriding assumptions as staff begins budget preparations for FY12 and FY13. He noted: 1) VTA is financially sound, because it reacted quickly to the significant downturn in revenues; 2) Full cooperation was received from employee labor groups in terms of: a) furlough days; b) deferring wage increases; and c) no wage increases; 3) Expenses were reduced throughout the organization; 4) Services cuts and a fare increase were implemented; 5) Non-budgeted funding was received from the State; and 6) Sales tax revenues are beginning to improve.

Mr. Burns stated VTA must be cognizant of the volatility of its funding sources, particularly sales tax revenue, noting the critical financial condition VTA faced approximately 18-months ago.

A PowerPoint presentation was provided highlighting information on FY12 and FY13 Biennial Budget Assumptions for: 1) Service; 2) Revenues; 3) Expense/Cost Drivers; 4) Capital Program; 5) Harvey M. Rose Associates, LLC, Recommendation and Budget Assumption; and 6) Next Steps.

19. REPORT FROM THE CHAIRPERSON. (Verbal Report)

A. Remarks from incoming Chairperson

Chairperson Abe-Koga thanked the Board members for their trust in electing her Chairperson. She noted: 1) the Board's effort is to support infrastructure and service; 2) the Board's focus should be on the basics in 2011 in order to provide the best safe, reliable, affordable transportation system VTA's resources will allow; and 3) the importance of the Board continuing to be mindful and manage VTA resources in a prudent way.

Chairperson Abe-Koga praised the efforts of the Ad-Hoc Financial Recovery Committee (Ad-Hoc FRC) for providing sound principles, priorities and guidelines to help address the serious economic challenges VTA faces.

Chairperson Abe-Koga noted a suggestion that came out of the Ad-Hoc FRC was to form a Revenue Enhancement Committee. She recommended that at its next meeting the Transit Planning and Operations (TP&O) Committee place on its agenda the formation of a Revenue Enhancement Subcommittee.

Chairperson Abe-Koga encouraged the Board members to be proactive in publicly promoting VTA's projects, policies, activities and interests.

Chairperson Abe-Koga stated Caltrain, facing serious financial challenges this year, is very important to her constituents in Mountain View and that she is committed to saving the service.

Chairperson Abe-Koga reported on the internal organizational changes that have been implemented to get the Board more engaged in the Board meetings: 1) Items on the agenda will be grouped by the standing committee that reviews them;

2) Beginning with the February Board meeting, the chair for each standing committee will provide a brief introduction to the items their committee is recommending and their thoughts behind the recommendation. She noted this will help shorten the staff presentation and allow the Board a better understanding of the committees' positions on the items; and 3) iPads are being tested by staff, for use by the Board, in order to move VTA toward a more paperless organization.

B. Appointments to Board Standing Committees and Joint Powers Boards and Regional Commission

M/S/C (Page/Herrera) to approve Appointments to Board Standing Committees and Joint Powers Boards and Regional Commission.

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

There was no report.

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

There was no report.

REGULAR AGENDA

Chairperson Abe-Koga announced that Agenda Item #22, *SVRT Program Update*, and Agenda Item #25, *BART Vehicle Procurement*, would be presented together.

22. SVRT Program Update and

25. BART Vehicle Procurement

Carolyn Gonot, Chief SVRT Officer, provided a PowerPoint presentation entitled *Silicon Valley Berryessa Extension BART Vehicle Procurement* that highlighted: 1) Recommended Action; 2) BART Fleet Replacement; 3) BART Railcar Procurement; 4) BART Procurement Activities; 5) Procurement Schedule; 6) Railcar Production and Delivery; 7) VTA Financial Commitment; 8) BART System Map; and 9) Next Steps.

Ms. Gonot reported BART's Executive Manager for Transit System Development, Charles Stark, was in attendance should the Board have any questions about the vehicle procurement.

Public

Michael Ludwig, concerned citizen, encouraged VTA to design and build a transportation system to last for centuries. He expressed concern over the decision to combine two downtown stations into one, suggesting this could affect San José State University students and hurt ridership in the long term.

On order of Chairperson Abe-Koga and there being no objection, the Board received the Silicon Valley Rapid Transit (SVRT) Program Update.

M/S/C (Kniss/Page) on a vote of 12 ayes to 0 noes to authorize the General Manager to procure sixty (60) railcars for the Berryessa Extension Project in cooperation with the Bay Area Rapid Transit District (BART), and to execute all relevant agreements and other documentation pursuant to the VTA/BART Comprehensive Agreement.

OTHER ITEMS

27. ITEMS OF CONCERN AND REFERRAL TO ADMINISTRATION

There were no Items of Concern and Referral to Administration.

28. Monthly Legislative History Matrix

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

29. REPORTS (UNAPPROVED MINUTES) FROM STANDING COMMITTEES

A. Administration and Finance Committee

There was no report for the Administration and Finance Committee.

B. Congestion Management Program and Planning Committee

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

C. Transit Planning and Operations Committee

On order of Chairperson Abe-Koga and there being no objection, the December 16, 2010, Transit Planning and Operations Committee Minutes were accepted as contained in the agenda packet.

D. Audit Committee

There was no report for the Audit Committee.

30. REPORTS (UNAPPROVED MINUTES) FROM ADVISORY COMMITTEES

A. Committee for Transit Accessibility

There was no report for the Committee for Transit Accessibility

B. Citizens Advisory Committee and 2000 Measure A Citizens Watchdog Committee

There was no report for the Citizens Advisory Committee and 2000 Measure A Citizens Watchdog Committee.

C. Bicycle & Pedestrian Advisory Committee

There was no report for the Bicycle & Pedestrian Advisory Committee.

D. Technical Advisory Committee

There was no report for the Technical Advisory Committee.

E. Policy Advisory Committee

There was no report for the Policy Advisory Committee.

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

A. Peninsula Corridor JPB

On order of Chairperson Abe-Koga and there being no objection, the January 6, 2011, Summary Notes from the Peninsula Corridor Joint Powers Board were accepted as contained on the dais.

B. Capitol Corridor JPB

There was no report for the Capitol Corridor Joint Powers Board.

C. Dumbarton Rail Corridor Policy Committee

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

D. Metropolitan Transportation Commission (MTC)

On order of Chairperson Abe-Koga and there being no objection, the December 15, 2010, Summary Notes from the Metropolitan Transportation Commission were accepted as contained on the dais.

E. Sunol Smart Carpool Lane Joint Powers Authority

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

32. REPORTS FROM VTA POLICY ADVISORY BOARDS (PABs)

A. Vasona Light Rail PAB

There was no report for the Vasona Light Rail Policy Advisory Board.

B. Silicon Valley Rapid Transit Corridor & BART Warm Springs Extension PAB

There was no report for the Silicon Valley Rapid Transit Corridor & Bart Warm Springs Extension Policy Advisory Board.

C. Downtown East Valley PAB

There was no report for the Downtown East Valley Policy Advisory Board.

33. ANNOUNCEMENTS

There were no announcements.

34. ADJOURNMENT

On order of Chairperson Abe-Koga and there being no objection, the meeting was adjourned at 6:53 p.m.

Respectfully submitted,

Susan Garcia, Board Assistant
VTA Office of the Board Secretary