



BOARD OF DIRECTORS MEETING

Thursday, June 2, 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 5:33 p.m. in the Board of Supervisors’ Chambers, County Government Center, 70 West Hedding Street, San José, California.

1. ROLL CALL

Attendee Name	Title	Status
Margaret Abe-Koga	Chairperson	Present
Marshall Anstandig	Alternate Board Member	Absent
Xavier Campos	Board Member	Present
David Cortese	Ex-Officio 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	Board Member	Absent
Jamie Matthews	Alternate Board Member	Present
Pete McHugh	Alternate Board Member	Present
Chris Moylan	Board Member	Present
Chuck Page	Board Member	Present
Nancy Pyle	Alternate Board Member	Absent
Chuck Reed	Board Member	Present
George Shirakawa	Alternate Board Member	Absent
Perry Woodward	Board Member	Absent
Ken Yeager	Vice Chairperson	Present

* Alternates do not serve unless participating as a Member.

A quorum was present.

Chairperson Abe-Koga referenced the Agenda as follows: **Agenda Item #2.X.** Existing Litigation - Conference with Legal Counsel and **Agenda Item #2.X.X.** Conference with Real Property Negotiators, noting they were noticed and distributed prior to the Board of Directors Regular meeting, which is in accordance with the Ralph M. Brown Act.

2. RECESS TO CLOSED SESSION

Public Comment

The following individuals addressed the Board of Directors and stressed the importance of continuing good faith contract negotiations. They noted that if the Budget is approved tonight it should have the flexibility to accommodate the bargaining union's ratified contract agreements with VTA:

- Mark Knollmueller, Service Employees International Union (SEIU) Local 521 Vice Chairperson;
- Tammy Dhanota, SEIU Local 521 Chief Steward;
- Rajwinder Sehdev, Senior Architect and Past President of the Transportation Authority Engineers and Architects Association (TAEA); and
- John Carlson, American Federation of State, County, and Municipal Employees (AFSCME) Local 101 VTA Chapter President.

Mike Thornton, Legal Counsel representing Brian Horner and Milpitas RV Storage, expressed concern about the negative impact to his client's business if Walton's design proposal is accepted by VTA's Board of Directors.

Fernando Villa, Legal Counsel representing Walton CWCA Wrigley Creek 31 property owner, urged VTA's Board of Directors to consider the design proposal submitted by Walton property owner.

2. RECESSED TO CLOSED SESSION at 5:53 p.m.

- A.** Conference with Labor Negotiators
[Government Code Section 54957.6]

VTA Designated Representatives:

Joseph Smith, Chief Financial Officer
Bill Lopez, Chief Administrative Officer
Robert L. Escobar, Human Resources Manager

Employee Organizations:

American Federation of State, County and Municipal Employees (AFSCME), Local 101
Service Employees International Union (SEIU), Local 521
Transportation Authority Engineers and Architects Association (TAEA), IFPTE, Local 21

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

Name of Case: Walton CWCA Wrigley Creek 31, a Delaware LLC v. Santa Clara Valley Transportation Authority, a California special district, et al.
[Santa Clara Superior Court Case No. 1-11-CV197814]

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

Property: Portion of Newhall Yard on Brokaw Road near Coleman Avenue in Santa Clara, CA

Agency Negotiator: Bijal Patel, Deputy Director, Property Development and Management

Negotiating Parties: Ventura Transportation and Rental Equipment, LLC

Under Negotiation: Price and Terms of Payment

RECONVENED TO OPEN SESSION at 6:36 p.m.

3. CLOSED SESSION REPORT

- A.** Conference with Labor Negotiators
[Government Code Section 54957.6]

VTA Designated Representatives:

Joseph Smith, Chief Financial Officer

Bill Lopez, Chief Administrative Officer

Robert L. Escobar, Human Resources Manager

Employee Organizations:

American Federation of State, County and Municipal Employees (AFSCME), Local 101

Service Employees International Union (SEIU), Local 521

Transportation Authority Engineers and Architects Association (TAEA), IFPTE, Local 21

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

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

Name of Case: Walton CWCA Wrigley Creek 31, a Delaware LLC v. Santa Clara Valley Transportation Authority, a California special district, et al.

[Santa Clara Superior Court Case No. 1-11-CV197814]

Mr. Allmand noted there was no reportable action taken during Closed Session.

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

Property: Portion of Newhall Yard on Brokaw Road near Coleman Avenue in Santa Clara, CA

Agency Negotiator: Bijal Patel, Deputy Director, Property Development and Management

Negotiating Parties: Ventura Transportation and Rental Equipment, LLC

Under Negotiation: Price and Terms of Payment

Mr. Allmand noted there was no reportable action taken during Closed Session.

4. PUBLIC PRESENTATIONS

Roland Lebrun, Interested Citizen, noted the importance to improve connectivity with the Santa Teresa light rail trains at the Caltrain Tamien Station.

Mike Ludwig, Interested Citizen, expressed concern on the ramp metering.

Eloy Wouters, Interested Citizen, expressed concern about the lack of public outreach for High Speed Rail (HSR).

James Whitman, Interested Citizen, expressed concern about light rail.

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

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

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

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

7. ORDERS OF THE DAY

Chairperson Abe-Koga noted **Agenda Item #17**. Noise Reduction Screening Study memorandum and attachments, were revised and distributed to VTA's Board of Directors prior to the meeting.

Chairperson Abe-Koga noted a request to remove the following item from the Agenda: **Agenda Item #12**. Adopt a support position for SB 383 (Wolk), which addresses issues related to the implementation of the State's Local Government Renewable Energy Self-Generation Program.

Chairperson Abe-Koga noted a request to defer the following item to the August 4, 2011 Board of Directors Regular Meeting: **Agenda Item #29**. Authorize the General Manager to enter into a cooperative agreement with the City of San José (CSJ) and Santa Clara Valley Water District (SCVWD) regarding the Upper Penitencia Creek Channel Improvements in support of the BART Silicon Valley Project.

Chairperson Abe-Koga noted the request to move the following item from the Regular Agenda to the Consent Agenda: **Agenda Item #40**. Authorize the General Manager to execute a contract with CSDA Architects in an amount of \$1,652,850 for professional services for the Silicon Valley Berryessa Extension (SVBX) Residential Noise Insulation Program ("Program") for an eight-year term from June 13, 2011 through June 30, 2019. This contract will be funded with federal, state, and local funds.

Chairperson Abe-Koga noted the request to move the following items from the Consent Agenda to the Regular Agenda: **Agenda Item # 20**. Approve operational procedures for the SR 237/I-880 Express Connectors project, related to: 1) Setting of the hours of operation and; 2) Establishing the protocol for calculating the toll rates; and **Agenda Item #30**. Authorize the General Manager to enter into a Master Agreement with the County of Santa Clara in support of the BART Silicon Valley Project. This agreement will include provisions to ensure a commitment of cooperation from both parties.

M/S/C (Herrera/Larsen) on a vote of 9 ayes to 2 abstentions to accept the Orders of the Day and the Consent Agenda. Board Members Reed and Campos abstained.

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

CONSENT AGENDA

8. Board of Directors Workshop Meeting Minutes of April 22, 2011

M/S/C (Herrera/Larsen) on a vote of 9 ayes to 2 abstentions to approve the Board of Directors Workshop Meeting Minutes of April 22, 2011. Board Members Reed and Campos abstained.

9. Board of Directors Regular Meeting Minutes of May 5, 2011

M/S/C (Herrera/Larsen) on a vote of 9 ayes to 2 abstentions to approve the Board of Directors Regular Meeting Minutes of May 5, 2011. Board Members Reed and Campos abstained.

Administration and Finance Committee

Items submitted for the Consent Agenda by the Administration and Finance Committee.

10. Fiscal Year 2011 Quarterly Statement of Revenues and Expenses for the Period Ending March 31, 2011

M/S/C (Herrera/Larsen) on a vote of 9 ayes to 2 abstentions to review and accept the Fiscal Year 2011 Quarterly Statement of Revenues and Expenses for the period ending March 31, 2011. Board Members Reed and Campos abstained.

11. Master Agreement – State Funded Transit Projects

M/S/C (Herrera/Larsen) on a vote of 9 ayes to 2 abstentions to adopt **Resolution No. 2011.06.16** assuring compliance with the requirements for the receipt of state funds used in the implementation of transit projects, and authorizing the General Manager to execute the “Master Agreement State Funded Transit Projects” with the California Department of Transportation. Board Members Reed and Campos abstained.

12. (Removed from the June 2, 2011 Board of Directors Consent Agenda.)

Adopt a support position for SB 383 (Wolk), which addresses issues related to the implementation of the state's Local Government Renewable Energy Self-Generation Program.

13. Bill Position: AB 427 (J. Perez)

M/S/C (Herrera/Larsen) on a vote of 9 ayes to 2 abstentions to adopt a support position for AB 427 (J. Perez), which proposes a series of changes to improve the administration of the Transit System Safety, Security, and Disaster Response Account under Proposition 1B. Board Members Reed and Campos abstained.

14. Bill Position: SB 310 (Hancock)

M/S/C (Herrera/Larsen) on a vote of 9 ayes to 2 abstentions to adopt a support position for SB 310 (Hancock), which provides more options to cities and counties for encouraging developers to undertake transit-oriented development projects. Board Members Reed and Campos abstained.

15. Bill Position: SB 867 (Padilla)

M/S/C (Herrera/Larsen) on a vote of 9 ayes to 2 abstentions to adopt a support position for SB 867 (Padilla), which allows the California Transportation Financing Authority to issue non-refundable tax credit bonds for transportation capital improvement projects. Board Members Reed and Campos abstained.

16. Technology maintenance and Support Contracts

M/S/C (Herrera/Larsen) on a vote of 9 ayes to 2 abstentions to authorize the General Manager to approve technology maintenance and support agreements with ten specified technology firms for software and hardware support services. Each contract shall be for a maximum three-year period, with an option for two additional years, with an aggregate value not to exceed \$5,500,000 for all agreements in the first 3 years and 3,850,000 for all agreements in year 4 and 5. Board Members Reed and Campos abstained.

Congestion Management Program and Planning Committee

Items submitted for the Consent Agenda by the Congestion Management Program and Planning Committee.

17. Noise Reduction Screening Study

M/S/C (Herrera/Larsen) on a vote of 9 ayes to 2 abstentions to receive the results of the Noise Reduction Screening study and approve the changes in the process for evaluating the cost-effectiveness of sound walls for highway projects in Santa Clara County. Board Members Reed and Campos abstained.

18. Proactive CMP Quarterly Report for January – March 2011

M/S/C (Herrera/Larsen) on a vote of 9 ayes to 2 abstentions to receive the Proactive CMP Quarterly Report for January through March 2011. Board Members Reed and Campos abstained.

19. Programmed Project Monitoring – Quarterly Report

M/S/C (Herrera/Larsen) on a vote of 9 ayes to 2 abstentions to receive the Programmed Projects Quarterly Monitoring Report for January - March 2011. Board Members Reed and Campos abstained.

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

Approve operational procedures for the SR 237/I-880 Express Connectors project, related to: 1) Setting of the hours of operation and; 2) Establishing the protocol for calculating the toll rates.

21. Bike Share Intergovernmental Agreement

M/S/C (Herrera/Larsen) on a vote of 9 ayes to 2 abstentions to authorize the General Manager to enter into an Intergovernmental Agreement with the Bay Area Air Quality Management District to commit \$400,000 in Regional Measure 2's (RM2) Safe Routes to Transit (SRTT) grant as local match funds for the purpose of implementing a Regional Bike Sharing Pilot Program. Board Members Reed and Campos abstained.

22. **2010 Monitoring and Conformance Report**

M/S/C (Herrera/Larsen) on a vote of 9 ayes to 2 abstentions to approve the Draft 2010 Monitoring and Conformance Report. Board Members Reed and Campos abstained.

23. **FY 2011/12 Transportation Development Act Article 3 Project Priorities**

M/S/C (Herrera/Larsen) on a vote of 9 ayes to 2 abstentions to adopt **Resolution No. 2011.06.17** approving the project priorities for the FY2011/12 Countywide Transportation Development Act Article 3 Program. Board Members Reed and Campos abstained.

24. **Valley Transportation Plan (VTP), Regional Transportation Plan (RTP), and Sustainable Communities Strategies (SCS) Updates**

M/S/C (Herrera/Larsen) on a vote of 9 ayes to 2 abstentions to receive an update on the Valley Transportation Plan, Regional Transportation Plan and Sustainable Communities Strategy activities. Board Members Reed and Campos abstained.

Transit Planning and Operations Committee

Items submitted for the Consent Agenda by the Transit Planning and Operations Committee.

25. **March 2011 Facilities Projects Semi-Annual Report**

M/S/C (Herrera/Larsen) on a vote of 9 ayes to 2 abstentions to receive the Semi-Annual Report for the Facilities Program for the period ending March 31, 2011. Board Members Reed and Campos abstained.

26. **Silicon Valley Berryessa Extension (SVBX) Project Utility Rearrangement Construction Authorization**

M/S/C (Herrera/Larsen) on a vote of 9 ayes to 2 abstentions to authorize the General Manager to commence utility relocation construction activities for the rearrangement of facilities determined to be in conflict with Silicon Valley Berryessa Extension (SVBX) Project improvements. These utility owners include PG&E, San Jose Water Company, Santa Clara Valley Water District, Milpitas Public Works, Verizon, Air Products, Chevron, Comcast, AT&T, and others. The estimated cost for such rearrangements is \$45 million. Board Members Reed and Campos abstained.

27. **Berryessa Infrastructure Cooperative Agreement between VTA and City of San Jose**

M/S/C (Herrera/Larsen) on a vote of 9 ayes to 2 abstentions to authorize the General Manager to enter into a cooperative agreement with the City of San José (CSJ) regarding City of San Jose infrastructure improvements in support of the BART Silicon Valley Project. The potential fiscal impact of this agreement is approximately \$350,000. Board Members Reed and Campos abstained.

28. **Lundy – Trimble Siphon Cooperative Agreement between VTA and City of San Jose**

M/S/C (Herrera/Larsen) on a vote of 9 ayes to 2 abstentions to authorize the General Manager to enter into a cooperative agreement with the City of San José regarding the Lundy-Trimble Siphon in support of the BART Silicon Valley Project. Board Members Reed and Campos abstained.

29. **(Deferred to the August 4, 2011 Board of Directors Regular Meeting.)**

Authorize the General Manager to enter into a cooperative agreement with the City of San José (CSJ) and Santa Clara Valley Water District (SCVWD) regarding the Upper Penitencia Creek Channel Improvements in support of the BART Silicon Valley Project.

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

Authorize the General Manager to enter into a Master Agreement with the County of Santa Clara in support of the BART Silicon Valley Project. This agreement will include provisions to ensure a commitment of cooperation from both parties.

31. **GM Authority for Santa Clara/Alum Rock Rapid Transit Project Real Estate Acquisitions**

M/S/C (Herrera/Larsen) on a vote of 9 ayes to 2 abstentions to authorize the General Manager to execute real property acquisition agreements required for the Santa Clara/Alum Rock Rapid Transit Project meeting the following criteria: 1) For any property, where the purchase price equals the statutory offer of just compensation established for the property; 2) For any property, where the negotiated purchase price for the property does not exceed \$150,000; and, further, authorize the General Manager to execute possession and use agreements for this project. Board Members Reed and Campos abstained.

40. **SVBX Residential Noise Insulation Program Consultant Selection**

M/S/C (Herrera/Larsen) on a vote of 9 ayes to 2 abstentions to authorize the General Manager to execute a contract with CSDA Architects in an amount of \$1,652,850 for professional services for the Silicon Valley Berryessa Extension (SVBX) Residential Noise Insulation Program (“Program”) for an eight-year term from June 13, 2011 through June 30, 2019. This contract will be funded with federal, state, and local funds. Board Members Reed and Campos abstained.

Audit Committee

Items submitted for the Consent Agenda by the Audit Committee.

32. **IT Network Security Internal Audit**

M/S/C (Herrera/Larsen) on a vote of 9 ayes to 2 abstentions to review and receive the Auditor General's internal audit report on Information Technology Network Security. Board Members Reed and Campos abstained.

33. Follow-up on the SAP GRC Segregation of Duties and Sensitive Access Internal Audit Report

M/S/C (Herrera/Larsen) on a vote of 9 ayes to 2 abstentions to review and receive the Auditor General's follow-up report on the implementation status of management's action plans contained in the SAP Governance Risk and Compliance (GRC) Segregation of Duties (SOD) and Sensitive Access Internal Audit Report. Board Members Reed and Campos abstained.

CEREMONIAL ITEMS/SPECIAL REPORTS

34. AWARDS AND COMMENDATION

A. Employees of the Month for June 2011

Chairperson Abe-Koga recognized and presented an award to Kevin Parrish, Maintenance Worker, River Oaks Administration; and Ching Wong, Office Specialist II, River Oaks Administration as Employees of the Month for June 2011.

Kelly Stenhouse, Coach Operator, Chaboya Division, was unable to attend.

35. REPORT FROM THE GENERAL MANAGER

Mr. Burns provided a brief report, highlighting the following: 1) VTA's overall system-wide ridership for April 2011 increased 3.3 percent compared to last year, noting bus boardings increased 2.2 percent and light rail boardings increased 7.1 percent; and 2) The positive trends in ridership are attributed to the economy, gasoline prices, and VTA's quality of service to customers.

A. Caltrain Update

Jim Lawson, Executive Policy Advisor, provided a brief report on the June 2, 2011 Caltrain Board Meeting, highlighting: 1) the passing of Omar Ahmad, Peninsula Corridor Joint Powers Board Member representing the San Mateo County Transit District; 2) approved Caltrain's Fiscal Year 2012 Operating Budget, which included VTA's offer for the Right of Way payment; 3) staff will meet in June to identify solutions to address the following years operating budget; and 4) staff will continue to work on the financial issues and provide a report at the July 7, 2011 Caltrain Board of Directors Meeting.

Public Comment

Eugene Bradley, Silicon Valley Transit Users, expressed appreciation about VTA's increase in ridership.

36. REPORT FROM THE CHAIRPERSON

There was no report from the Chairperson.

A. California High Speed Rail Authority Presentation

There was no presentation from the California High Speed Rail Authority.

REGULAR AGENDA

Chairperson Abe-Koga stated that the following items would be heard together: **Agenda Item #37.** Annual Transit Service Plan and **Agenda Item #38.** Approval of Recommended Biennial Budget for Fiscal Years 2012 and 2013.

37. Annual Transit Service Plan – FY 2012 – 2013

38. Approval of Recommended Biennial Budget for Fiscal Years 2012 and 2013

Joe Smith, Chief Financial Officer, reported on the presentation entitled, “VTA’s Biennial Budget Fiscal Years 2012 and 2013,” highlighting: 1) Ad-Hoc Financial Recovery Committee Key Financial Principles; 2) FY 12 and FY 13 Budget Objectives; 3) VTA Transit Major Operating Assumptions; 4) FY 12 and FY 13 Budget Follow-up from Budget Workshop; 5) Annual Transit Service Plan; 6) Annual Transit Service Plan Key Public Input; 7) Annual Transit Service Plan Revisions – July 2011; 8) Annual Transit Service Plan Revisions – July 2012; 9) FY 12 and FY 13 Budget Updates from Draft Budget; 10) VTA Revised Sources and Uses; 11) FY 12 and FY 13 Budget Revised Appropriation Summary; 12) FY 12 and FY 13 Budget Summary; and 13) Budget and Service Plan Outreach and Meeting Schedule.

Mr. Smith noted the VTA’s Budget Objectives are: 1) increase ridership; 2) preserve and enhance service; 3) maintain infrastructure; and 4) advance capital programs. The Biennial Budget assumes no fare increase, modest sales tax revenue growth, restoration of the State Transit Assistance (STA) funding, reduction of VTA’s dependence on Federal Formula Grant funding, discontinuance of furlough program, pre-payment of ATU Pension and Other Post-Employment Benefits (OPEB) contributions; Diesel Fuel estimated at \$3.84 per gallon; no change in overall service or fares for Paratransit Service; and continued support of Regional Partnerships, such as the Caltrain funding initiatives.

Mr. Smith commented on the FY 2012 and FY 2013 Budget Follow-up from the Budget Workshop, noting the following Board Members concerns and budget outcome: 1) Step increase provisions – the budget continues to not fund any step increases at the present time; 2) Fuel Budget – budget increased to reflect current fuel price; 3) Marketing Initiatives – budget increased by \$300,000 in each fiscal year for initiatives; and 4) Excess Liability Reserves – staff’s recommendation is to establish a Sales Tax Stabilization Fund to address volatility in Sales Tax Revenues and an OPEB Liability Reduction Fund to address OPEB Unfunded Liabilities. Staff will bring the recommended policies for each reserve to the Board at a later date for consideration.

Jim Unites, Operations Deputy Director, reported that the Annual Transit Service Plan was developed in conjunction with VTA’s Biennial Budget. The plan recommends one percent annual service growth; strengthening of core routes; continuance of Light Rail Express; implementation of Express Bus Study; and preparation for Bus Rapid Transit (BRT).

Mr. Unites commented on the revisions to the July 2011 Transit Service Plan based on the comments received from community and public meetings, including: the reduction in weeknight and weekend frequency from 15 minutes to 30 minutes for the Airport Flyer

Line 10; City of San Jose eliminating subsidy for the DASH Shuttle Service; addition of the Great Mall stop to late night Express 181; retention of Express 101 and Express 104; delay of the new 105 BART Shoreline; extension of 120 South San Jose to Lockheed Martin/Moffett Park; retention of trips on Line 48, 49, and 55; and the addition of Line 23 night trips.

Mr. Smith reviewed the updates from the draft budget on VTA's Transit Revenues, VTA's Transit Expenses, VTA's Transit Capital fund and Valley Transportation Plan (VTP) Highway Capital fund.

Upon query from Members of the Board, Mr. Burns assured there is flexibility within VTA's Biennial Budget to address and accommodate changes as a result of labor contract negotiations.

Members of the Board commended Mr. Burns and staff on their diligence to provide the organization with a sound and balanced budget.

Public Comment

Mr. Bradley noted his appreciation regarding VTA's FY 2012 and FY 2013 Biennial Budget and Annual Transit Service Plan, noting the proposed increases to transit service.

Adina Levin, Interested Citizen, expressed appreciation to VTA for their proactive role to identify solutions to assist Caltrain with their financial challenges.

37. Annual Transit Service Plan – FY 2012 – 2013

M/S/C (Moylan/McHugh) to adopt the FY2012 and FY2013 Annual Transit Service Plan and the recommended service changes.

38. Approval of Recommended Biennial Budget for Fiscal Years 2012 and 2013

M/S/C (Moylan/McHugh) to adopt **Resolution No. 2011.06.18** approving the Fiscal Years 2012 and 2013 Recommended Biennial Budget for the period July 1, 2011 through June 30, 2013.

Board Member Reed left the meeting at 7:28 p.m.

39. SVRT Program Update

Dennis Ratcliffe, SVRT Deputy Project Manager, provided a brief overview highlighting significant BART Silicon Valley Project activities and progress during May 2011, noting the Federal Transit Administration (FTA) New Starts Activities and Design Build Contracts.

Public Comment

Mr. Bradley urged staff to have BART conduct a "fleet of the future" meeting within the County of Santa Clara to ensure residents have the opportunity to participate in the survey on the proposed new seats.

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

Administration and Finance Committee - Liz Kniss

There were no items submitted for the Regular Agenda by the Administration and Finance Committee.

Congestion Management Program and Planning Committee - Chuck Page

There were no items submitted for the Regular Agenda by the Congestion Management Program and Planning Committee.

20. SR 237/I-880 Express Connectors Operational Procedures

Alternate Board Member McHugh expressed concern about the proposed entrance to westbound High Occupancy Vehicle (HOV)/Express Lanes from Milpitas. He noted there should be adequate signage to ensure drivers are aware that they are unable to enter until after First Street.

John Ristow, Chief CMA Officer, responded that the design has limited access, noting the intent of the project is to provide free flow travel time savings for the entire corridor. Mr. Ristow stated that adequate signage will be posted to inform drivers of changes to this corridor.

Public Comment

Mr. Ludwig expressed concern about the SR 237/I-880 Express Lanes project hours of operation.

M/S/C (Page/McHugh) to approve operational procedures for the SR 237/I-880 Express Connectors project, related to: 1) Setting of the hours of operation and; 2) Establishing the protocol for calculating the toll rates.

Transit Planning and Operations Committee - Rich Larsen

Item submitted for the Regular Agenda by the Transit Planning and Operations Committee.

30. Silicon Valley Rapid Transit Master Agreement between VTA and County of Santa Clara

Alternate Board Member McHugh stressed the importance of and noted the need for staff to closely monitor the program coordination between BART and the San Jose Water District.

Mr. Ratcliffe responded that staff is prepared to monitor the program coordination, noting the Master Agreement is designed to provide a framework for establishing specific results of the program coordination.

M/S/C (Larsen/Page) to authorize the General Manager to enter into a Master Agreement with the County of Santa Clara in support of the BART Silicon Valley Project. This agreement will include provisions to ensure a commitment of cooperation from both parties.

Ad-Hoc Revenue Enhancement Committee (REC)

Board Member Larsen provided a brief report on the May 19, 2011 REC meeting, noting the intent of the Transit Planning and Operations (TPO) Subcommittee is to identify measures that would increase VTA's revenues.

Board Member Larsen stated that the REC Subcommittee decided to focus on increasing ridership through marketing efforts. In March 2011, a Peer Review of VTA's marketing was conducted by marketing professionals and coordinated by the American Public Transportation Association (APTA). This review offered a number of recommendations to enhance the effectiveness of VTA's marketing promotions and expanding advertising opportunities to build ridership and increase revenue. The REC Subcommittee is currently evaluating the practicality and potential effectiveness of the recommendations.

Audit Committee - Rose Herrera

Item submitted for the Regular Agenda by the Audit Committee.

41. Recommended FY 12 Internal Audit Work Plan

Mr. Burns commented that to prevent delays and improve audit efficiencies, staff recommends the Board of Directors to delegate limited authority to the Audit Committee to approve and expand the scope modifications and cost adjustments for items in the Internal Audit Work Plans

M/S/C (Herrera/Page) to 1) approve the Fiscal Year 2012 (FY12) Internal Audit Work Plan developed by the VTA Auditor General for a maximum amount of \$338,000; 2) to enable completion, authorize the General Manager to amend the task order contract with Deloitte & Touche LLP for Auditor General/internal audit services, increasing the amount by \$163,000 for a revised not-to-exceed amount of \$775,500; and 3) further, delegate authority to the Audit Committee to approve scope modifications and cost adjustments for items contained in Board-approved Internal Audit Work Plans, subject to remaining within the overall Board-defined maximum amount for that specific Internal Audit Work Plan.

OTHER ITEMS

42. ITEMS OF CONCERN AND REFERRAL TO ADMINISTRATION

There were no Items of Concern and Referral to Administration.

43. 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.

44. REPORTS (UNAPPROVED MINUTES) FROM STANDING COMMITTEES

A. Administration and Finance Committee

On order of Chairperson Abe-Koga and there being no objection, the May 19, 2011 Administration and Finance Committee Minutes were accepted as contained in the Agenda Packet.

B. Congestion Management Program and Planning Committee

On order of Chairperson Abe-Koga and there being no objection, the May 20, 2011 Congestion Management Program and Planning Committee Minutes were accepted as contained on the dais.

C. Transit Planning and Operations Committee

On order of Chairperson Abe-Koga and there being no objection, the May 19, 2011 Transit Planning and Operations Committee Minutes were accepted as contained in the Agenda Packet.

D. Audit Committee

On order of Chairperson Abe-Koga and there being no objection, the May 5, 2011 Audit Committee Minutes were accepted as contained in the Agenda Packet.

45. REPORTS (UNAPPROVED MINUTES) FROM ADVISORY COMMITTEES

A. Committee for Transit Accessibility (CTA)

There was no report from the Committee for Transit Accessibility (CTA).

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

On order of Chairperson Abe-Koga and there being no objection, the May 11, 2011 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 Abe-Koga and there being no objection, the May 11, 2011 Bicycle & Pedestrian Advisory Committee (BPAC) Minutes were accepted as contained in the Agenda Packet.

D. Technical Advisory Committee (TAC)

There was no report from the Technical Advisory Committee (TAC).

E. Policy Advisory Committee (PAC)

On order of Chairperson Abe-Koga and there being no objection, the May 12, 2011 Policy Advisory Committee (PAC) Minutes were accepted as contained in the Agenda Packet.

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

A. Peninsula Corridor JPB

On order of Chairperson Abe-Koga and there being no objection, the Summary Notes from the June 2, 2011 Peninsula Corridor Joint Powers Board were accepted as contained on the dais.

B. Capitol Corridor JPB

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

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 Abe-Koga and there being no objection, the Summary Notes from the May 25, 2011 Metropolitan Transportation Committee were accepted as contained on the dais.

E. Sunol Smart Carpool Lane Joint Powers Authority

On order of Chairperson Abe-Koga and there being no objection, the Summary Notes from the May 9, 2011 Sunol Smart Carpool Lane Joint Powers Authority Governing Board were accepted as contained on the dais.

F. SR 152 Mobility Partnership

There was no report from the SR 152 Mobility Partnership.

47. REPORTS FROM VTA POLICY ADVISORY BOARDS (PABs)

A. Diridon Station Joint Policy Advisory Board

There was no report from the Diridon Station Joint Policy Advisory Board.

B. Downtown East Valley PAB

There was no report from the Downtown East Valley PAB.

C. El Camino Real Rapid Transit PAB

There was no report from the El Camino Real Rapid Transit PAB.

D. Silicon Valley Rapid Transit Corridor and BART Warm Springs Extension PAB

On order of Chairperson Abe-Koga and there being no objection, the May 25, 2011 Silicon Valley Rapid Transit Corridor and BART Warm Springs Extension PAB Cancellation Notice was accepted as contained in the Agenda Packet.

48. ANNOUNCEMENTS

Board Member Moylan requested that revised items highlight the changes within the document.

49. ADJOURNMENT

On order of Chairperson Abe-Koga and there being no objection, the meeting was adjourned at 7:52 p.m.

Respectfully submitted,

Michelle M. Garza, Board Assistant
VTA Office of the Board Secretary