The Regular Meeting of the Santa Clara Valley Transportation Authority’s (VTA) Board of Directors was called to order by Chairperson Pirzynski at 4:02 p.m. in the Board of Supervisors’ Chambers, County Government Center, 70 West Hedding Street, San José, California.

1. CALL TO ORDER AND ROLL CALL

1.1. ADMINISTER OATHS OF OFFICERS

Sandra A. Weymouth, VTA Board Secretary, administered the Oath of Office to newly appointed Board Member Jose Esteves, representing the City of Milpitas; Board Member Donald Rocha, representing the City of San Jose; and Alternate Board Member Johnny Khamis, representing the City of San Jose.

1.2. ROLL CALL

<table>
<thead>
<tr>
<th>Attendee Name</th>
<th>Title</th>
<th>Status</th>
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</thead>
<tbody>
<tr>
<td>Margaret Abe-Koga</td>
<td>Board Member</td>
<td>Present</td>
</tr>
<tr>
<td>Xavier Campos</td>
<td>Board Member</td>
<td>Present</td>
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<tr>
<td>Larry Carr</td>
<td>Alternate Board Member</td>
<td>Absent</td>
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<tr>
<td>David Cortese</td>
<td>Ex-Officio Board Member</td>
<td>Present</td>
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<tr>
<td>Jose Esteves</td>
<td>Board Member</td>
<td>Present</td>
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<tr>
<td>Rose Herrera</td>
<td>Board Member</td>
<td>Present</td>
</tr>
<tr>
<td>Ash Kalra</td>
<td>Board Member</td>
<td>Present</td>
</tr>
<tr>
<td>Johnny Khamis</td>
<td>Alternate Board Member</td>
<td>Present</td>
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<tr>
<td>Sam Liccardo</td>
<td>Board Member</td>
<td>Present</td>
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<tr>
<td>Evan Low</td>
<td>Alternate Board Member</td>
<td>Absent</td>
</tr>
<tr>
<td>Jamie Matthews</td>
<td>Board Member</td>
<td>Present</td>
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<tr>
<td>Joe Pirzynski</td>
<td>Vice Chairperson</td>
<td>Present</td>
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<tr>
<td>Gail A. Price</td>
<td>Alternate Board Member</td>
<td>Present</td>
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<tr>
<td>Donald Rocha</td>
<td>Board Member</td>
<td>Present</td>
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<tr>
<td>George Shirakawa</td>
<td>Alternate Board Member</td>
<td>Absent</td>
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<tr>
<td>David Whittum</td>
<td>Alternate Board Member</td>
<td>Absent</td>
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<tr>
<td>Perry Woodward</td>
<td>Board Member</td>
<td>Present</td>
</tr>
<tr>
<td>Ken Yeager</td>
<td>Chairperson</td>
<td>Present</td>
</tr>
</tbody>
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* Alternates do not serve unless participating as a Member.

A quorum was present.
1.3. **Orders of the Day**

Chairperson Pirzynski noted there was an addendum to the Agenda: **Item #3.1.X.**
Existing Litigation - Conference with Legal Counsel [Government Code Section 54956.9(a)], Name of Case: Santa Clara Valley Transportation Authority v. MVFT, LLC, et al. [Santa Clara Superior Court Case No. 1-10-CV-182138].

Chairperson Pirzynski indicated staff requested **Agenda Item # 3.1** Conference with Labor Negotiators [Government Code Section 54957.6] be removed from the Agenda. He noted **Agenda Item #7.1**, Minutes from the December 2012 Board meeting, were placed in the Board Members’ reading folders and on the public table.

**M/S/C (Herrera/Matthews)** to accept the Orders of the Day and approve the Consent Agenda.

2. **AWARDS AND COMMENDATION**

2.1. **Employees of the Month for December 2012**

Chairperson Pirzynski recognized Michelle Garza, Board Assistant, River Oaks Administration; and James Azucena, Service Worker, Cerone Division (Maintenance) as Employees of the Month for December 2012; and, Steve Johnstone, Policy and Administrative Manager, Operations as Supervisor of the Quarter for the fourth quarter 2012. Sing Vong, Coach Operator, Chaboya Division was unable to attend.

Member Abe-Koga took her seat at 4:12 p.m.

**Employees of the Month for January 2013**

Chairperson Pirzynski recognized Linda Wilson, Human Resources Analyst, River Oaks Administration; Robert “Bob” Mizerak, Coach Operator, North Division; and Rely Villanueva, Transit Foreperson at Cerone (Maintenance) Division, as Employees of the Month for January 2013; and, Cecilia Moreno, Transit Division Supervisor, Chaboya Division as Supervisor of the Quarter for the first quarter 2013.

2.2. **Resolution of appreciation for 2012 VTA Board Chairperson Ken Yeager**

**M/S/C (Kalra/Herrera)** to adopt **Resolution of Appreciation # 2013.01.68** for 2012 VTA Board Chairperson Ken Yeager.

**NOTE: M/S/C MEANS MOTION SECONDED AND CARRIED AND, UNLESS OTHERWISE INDICATED, THE MOTION PASSED UNANIMOUSLY.**
2.3  **Remarks from outgoing 2012 Chairperson Ken Yeager**

Board Member Yeager provided highlighted the many accomplishments of VTA during 2012, including; 1) Groundbreaking on BART project; 2) 101/Yerba Buena improvements; 3) One Bay Area Grant (OBAG) funding; and 4) 280/880 project groundbreaking. He thanked VTA staff for their work and for providing the best service possible.

3.  **CLOSED SESSION**

3.1.  **Recessed to Closed Session at: 4:23 p.m.**

Conference with Labor Negotiators

[Government Code Section 54957.6]

**(Item Removed from Closed Session)**

VTA Designated Representatives
Bill Lopez, Chief Administrative Officer
Robert L. Escobar, Manager, Employee Relations

**Employee Organization**
Amalgamated Transit Union, Local 265

3.1.X.  **Existing Litigation - Conference with Legal Counsel**

[Government Code Section 54956.9(a)]

Name of Case: Santa Clara Valley Transportation Authority v. MVFT, LLC, et al.
[Santa Clara Superior Court Case No. 1-10-CV-182138]

3.2.  **Reconvened to Open Session at: 4:35 p.m.**

3.3.  **Closed Session Report**

Conference with Labor Negotiators

[Government Code Section 54957.6]

VTA Designated Representatives
Bill Lopez, Chief Administrative Officer
Robert L. Escobar, Manager, Employee Relations

**Employee Organization**
Amalgamated Transit Union, Local 265

This item was removed from Closed Session.

Existing Litigation - Conference with Legal Counsel

[Government Code Section 54956.9(a)]

Name of Case: Santa Clara Valley Transportation Authority v. MVFT, LLC, et al.
[Santa Clara Superior Court Case No. 1-10-CV-182138]

Rob Fabela, General Counsel, reported there was no reportable action taken in Closed Session.
4. PUBLIC COMMENT

Pat Plant, People Acting in Community Together (PACT), thanked the Board and VTA Staff for committing to low-income pass pilot program.

Sandy Hietala, PACT Member, expressed appreciation to VTA staff for the low-income pass program noting she is hopeful that it will grow and expand beyond a pilot project.

James Wightman, Interested Citizen, questioned if the Downtown Customer Service center is moving and, provided suggested routes for light rail shuttle to 49ers stadium.

Michael Ludwig, Interested Citizen, submitted suggestions for bus bridges when light rail system is down and expressed concern with the announcement system on bus line 323.

Edward Mason, Interested Citizen, expressed concern with the OBAG program, and suggested sponsors should have the financial responsibility for maintaining street trees and not property owners.

5. PUBLIC HEARINGS

HEARING - NOTICE OF INTENTION TO ADOPT RESOLUTIONS OF NECESSITY

Bijal Patel, Deputy Director Property Development and Management, provided a presentation, highlighting: 1) Status of acquisition activities; 2) Key board findings; and, 3) RON hearing property.

M/S/C (Abe-Koga/Matthews) to Close Hearing.

M/S/C (Matthews/Abe-Koga) to adopt Resolutions of Necessity No. 2013.01.69 determining that the public interest and necessity requires the acquisition of property interest from one property owned by: (1) YRC, Inc., a Delaware Corporation, f/k/a Yellow Roadway Corp., a Delaware Corporation, f/k/a Roadway Express, Inc., a Delaware Corporation, located in Milpitas, California, for the BART Silicon Valley Berryessa Extension (SVBX) Project. Motion approved by 11 members.

Property ID/Assessor’s Parcel Number/Owner


6. REPORTS

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

There was no report

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

There was no PAC Chairperson’s report.
6.3. General Manager’s Report

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

- 2012 Ridership numbers for bus, light rail, express service, Clipper, Holiday Trolley service, and Global Winter Wonderland service.

- Downtown Customer Service center moving to 55-A W Santa Clara Street.

- Status of Amalgamated Transit Union (ATU)/VTA negotiations.

- Governor’s FY 2014 budget announced with positive news for transportation.

6.3.A. Silicon Valley Rapid Transit (SVRT) Program Update

Dennis Radcliffe, Deputy Director, SVRT, provided a PowerPoint presentation, highlighting: 1) Milpitas area activities; 2) Upper Penitencia Creek mitigation; 3) Montague Expressway Reconstruction Project; 4) Kato Road grade separation; and 5) Mission Warren area activities.

6.3.B. Metropolitan Transportation Commission (MTC) and California Transportation Commission (CTC) activities

Scott Haywood, Policy and Community Relations Manager, provided an MTC report highlighting; 1) approval of 1.3 million to help VTA develop a low-income ridership program. 2) Caltrain electrification project solution for funding; 3) two new members on the Caltrain Board.

Mr. Burns indicated San Francisco has come forward pressing for changes in the electrification project that could impact the Environmental Impact Report (EIR) and will result in significant project delay.

John Ristow, Chief CMA Officer, provided a presentation on the Innovative Team District (iTEAM) highlighting: 1) Caltrans District 4; 2) iTEAM update; 3) next steps for iTEAM implementation.

Public Comments

Roland Lebrun, Interested Citizen, provided comment on a new funding method he shared with San Francisco.

6.4. Chairperson’s Report

Chairperson Pirzynski announced the February Board meeting will be held on January 31, 2013, and the April workshop has been rescheduled to April 19, 2013 at 9:00 a.m.
6.4. A. Board Committee Appointments

M/S/C (Yeager/Matthews) to approve appointments to Board Standing Committees, Joint Powers Boards, Policy Advisory Boards, and Ad Hoc Committees for 2013.

6.4.B. Incoming Remarks from Chairperson Joe Pyrzinski

Chairperson Pyrzinski thanked former Board Chairperson Yeager for his leadership in 2012. He commented on the year ahead for VTA noting a number of projects and opportunities being taken on to help streamline transportation and provide economic and environmental benefits in Santa Clara County.

Chairperson Pirzynski commented specifically on the following 2013 initiatives/projects: 1) FY 2014 and FY 2015 budget; 2) Bus Rapid Transit (BRT) projects; 3) BART project; 5) Successful Collective Bargaining; 6) iTEAM; and, 7) Webcasting.

Chairperson Pirzynski noted he is looking forward to working with the Board and VTA staff to provide the best service to those traveling into and throughout the County.

7. CONSENT AGENDA

7.1. Board of Directors Regular Meeting Minutes of December 13, 2012

M/S/C (Herrera/Matthews) to approve the Minutes of December 13, 2012.

7.2. Bicycle & Pedestrian Advisory Committee Reappointment – Mountain View

M/S/C (Herrera/Matthews) to ratify the re-appointment of Marc Roddin to the Bicycle & Pedestrian Advisory Committee representing the City of Mountain View for the remainder of the two-year term ending June 30, 2014.

7.3 Citizens Advisory Committee bylaws - Council on Aging Silicon Valley

M/S/C (Herrera/Matthews) to adopt Resolution No. 2013.01.70 amending the Citizens Advisory Committee bylaws to establish the Council on Aging Silicon Valley as the defined appointing authority for the existing position representing Seniors, and also amending the VTA Administrative Code to be consistent therewith.

7.4. Citizens Advisory Committee Appointment - Council on Aging Silicon Valley

M/S/C (Herrera/Matthews) to ratify the appointment by the Council on Aging Silicon Valley (COASV) of Mike Torres to the Citizens Advisory Committee representing senior citizens. This appointment is conditional on Board of Directors prior approval of establishment of the COASV as the defined appointing authority for the existing CAC membership position representing seniors.
7.5. **CAC Appointment - Building Owners and Managers Association**

M/S/C (Herrera/Matthews) to ratify the appointment by the Building Owners & Managers Association Silicon Valley (BOMA SV) of Sharon Fredlund to the Citizens Advisory Committee.

7.6. **Committee for Transit Accessibility Appointments**

M/S/C (Herrera/Matthews) for the Committee for Transit Accessibility, to approve the following for the two-year term ending December 31, 2014:

- Reappointment of current members Aaron Morrow, Troy Hernandez, and Jeffrey Jokinen to represent persons with disabilities.
- Reappointment of the Silicon Valley Independent Living Center as a human services agencies/business representative.
- Appointment of Chaitanya Vaidya to represent persons with disabilities.

7.7. **Measure B Vehicle Registration Fee**

M/S/C (Herrera/Matthews) to approve the programming of 2010 Measure B Vehicle Registration Fee (VRF) funds to Intelligent Transportation System projects.

7.8. **Moffett Park Station Easements**

M/S/C (Herrera/Matthews) to authorize the General Manager to execute the Grant of Easement and the Quitclaim of Easement for Ingress and Egress rights at Moffett Park Station.

7.9. **Transit Performance Initiative (TPI) Incentive Grant**

M/S/C (Herrera/Matthews) to adopt Resolution No. 2013.01.71 a project sponsor resolution of support for a Transit Performance Initiative (TPI) Incentive grant

7.10. **Programmed Projects Quarterly Monitoring Report**

M/S/C (Herrera/Matthews) to receive the Programmed Projects Quarterly Monitoring Report for July-September 2012.

7.11. **Service Changes for January 2013**

M/S/C (Herrera/Matthews) to receive information on Service Changes for January 2013.
8. REGULAR AGENDA

8.1. Community Bus and Express Bus Procurements

Michael Hursh, Chief Operations Officer, provided an overview of the VTA bus fleet and a presentation entitled, "New Bus Procurements" highlighting: 1) current revenue bus fleet; 2) new bus procurement plan for the different bus types; 3) purchase status; 4) comparison between the existing bus fleet and the new buses that will be purchased; and 5) procurement schedule and budget.

Public Comments

Michael Ludwig, Interested Citizen, expressed concern with the number of new buses being able to fulfill future needs for Express Bus service ridership.

Board Members discussed negotiation techniques and factors included in cost of buses.

M/S/C (Campos/Herrera) to amend the FY 2013 VTA Transit Fund Capital Budget to add $17,609,759 to facilitate Community Bus and Express Bus procurements.

Board Member Campos left his seat at 5:47 p.m.

8.2. Pre-Screening OBAG Requirements: Member Agency Status

John Ristow, Chief CMA Officer provided a brief overview of the staff report

On order of Chairperson Pirzynski and there being no objections, the Committee received the Pre-Screening OBAG Requirements: Member Agency Status report.

9. OTHER ITEMS

9.1. ITEMS OF CONCERN AND REFERRAL TO ADMINISTRATION

There were no items of Concern and Referral to Administration.

9.2. Reports from VTA Committees, Joint Powers Boards (JPB), and Regional Commissions

9.2.A. VTA Standing Committees

- Administration & Finance Committee (A&F) – The December 20, 2012 Cancellation notice was accepted as contained in the packet.
- Congestion Management Program & Planning (CMPP) The December 20, 2012 Cancellation notice was accepted as contained in the packet.
• Transit Planning & Operations Committee (TP&O) - The December 20, 2012 Cancellation notice was accepted as contained in the packet.

9.2.B. VTA Advisory Committees

• Citizens Advisory Committee (CAC) and 2000 Measure A Citizens Watchdog Committee (CWC) – The December 12, 2012 Meeting Minutes were accepted as contained on the dais.
• Policy Advisory Committee (PAC) – The December 13, 2012 Cancellation notice was accepted as contained in the packet.
• Technical Advisory Committee (TAC) – The December 13, 2012, Minutes were accepted as contained on the dais.

9.2.C. VTA Policy Advisory Boards (PAB)

• Downtown East Valley PAB (DTEV) – December 6, 2012 Minutes were accepted as contained in the packet.
• El Camino Real Rapid Transit – December 14, 2012 minutes were accepted as contained on the dais.

9.2.D. Joint Powers Boards and Regional Commissions

• Peninsula Corridor Joint Powers Board Caltrain – January 3, 2013 Summary Notes were accepted as contained on the dais.
• Metropolitan Transportation Commission Meeting – December 19, 2012 Summary Notes were accepted as contained on the dais.

9.3. Announcements

There were no announcements.

10. ADJOURN

On order of Chairperson Pirzynski and there being no objection, the meeting was adjourned at 5:49 p.m.

Respectfully submitted,

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