1. CALL TO ORDER AND ROLL CALL

The Regular Meeting of the Santa Clara Valley Transportation Authority’s (VTA) Board of Directors was called to order by Chairperson Pirzynski at 5:30 p.m. in the Board of Supervisors’ Chambers, County Government Center, 70 West Hedding Street, San José, California.

1.1. ROLL CALL

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<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>
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<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>Board Member</td>
<td>Absent</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>
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<tr>
<td>Ash Kalra</td>
<td>Vice Chairperson</td>
<td>Present</td>
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<tr>
<td>Johnny Khamis</td>
<td>Alternate Board Member</td>
<td>Present</td>
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<td>Sam Liccardo</td>
<td>Board Member</td>
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<tr>
<td>Jamie Matthews</td>
<td>Board Member</td>
<td>Present</td>
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<tr>
<td>Chuck Page</td>
<td>Alternate Board Member</td>
<td>Absent</td>
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<tr>
<td>Joe Pirzynski</td>
<td>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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<td>Donald Rocha</td>
<td>Board Member</td>
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<td>David Whittum</td>
<td>Alternate Board Member</td>
<td>Present</td>
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<td>Perry Woodward</td>
<td>Board Member</td>
<td>Present</td>
</tr>
<tr>
<td>Ken Yeager</td>
<td>Board Member</td>
<td>Present</td>
</tr>
</tbody>
</table>

* Alternates do not serve unless participating as a Member.

A quorum was present.

Chairperson Pirzynski welcomed the members of the Service Employees International Union (SEIU) and noted their presence was appreciated. He noted the SEIU members would be provided a chance to speak prior to the Board recessing to Closed Session.

1.2. Orders of the Day

Chairperson Pirzynski noted several board members might be leaving early to attend a vigil in the City of San José. In order to keep the meeting efficient, he recommended that all action items be heard after the public presentations, followed by the reports.
Chairperson Pirzynski recommended that Agenda Item #8.2, OneBayArea Grant (OBAG) Projects, and Agenda Item #8.3, U.S. 101 Improvements (Monterey Street to SR 129) Final Environmental Impact Report, be moved from the Regular Agenda to the Consent Agenda.

Chairperson Pirzynski stated, per the request of members of the public, Agenda Item #7.14, Update to Tamien Joint Development would be moved from the Consent Agenda to the Regular Agenda. He then stated that at the request of Board Member Herrera, Agenda Item #7.18, Capitol Expressway Light Rail Project – Eastridge Transit Center and Bus Improvement Contract, would be moved from the Consent Agenda to the Regular Agenda.

Chairperson Pirzynski stated that Michael T. Burns, General Manager, would speak to Agenda Item #6.5, Plan Bay Area.

Board Member Liccardo requested that Agenda Item #7.16, Priority Development Area (PDA) Investment and Growth Strategy – First Report, be moved from the Consent Agenda to the Regular Agenda.

Board Member Khamis recused himself per Government Code Section 84308 from Agenda Item #7.9, SR 237/US 101/Mathilda Avenue Interchange Improvements – Execute Design Contract with WMH Corporation.

M/S/C (Matthews/Campos) to accept the Orders of the Day, and approve the Consent Agenda, as amended.

7. CONSENT AGENDA

7.1. Board of Directors Workshop Meeting Minutes of April 19, 2013
M/S/C (Matthews/Campos) to approve the Board of Directors Workshop Meeting Minutes of April 19, 2013.

7.2. Board of Directors Regular Meeting Minutes of May 2, 2013
M/S/C (Matthews/Campos) to approve the Board of Directors Regular Meeting Minutes of May 2, 2013.

7.3. Monthly Legislative History Matrix
M/S/C (Matthews/Campos) to review the Monthly Legislative History Matrix.

7.4. Bill Position: AB 466 (Quick)
M/S/C (Campos/Woodward) to adopt a support position for AB 466 (Quick), which directs Caltrans to apportion California's share of federal Congestion Mitigation and Air Quality Improvement Program (CMAQ) funds to metropolitan planning organizations (MPOs) and transportation planning agencies according to a weighted population formula that was previously specified in federal law.

NOTE: M/S/C MEANS MOTION SECONDED AND CARRIED AND, UNLESS OTHERWISE INDICATED, THE MOTION PASSED UNANIMOUSLY.
7.5. **Bill Position: SB 785 (Wolk)**

M/S/C (Matthews/Campos) to adopt a support position for SB 785 (Wolk), which provides general authorization for local agencies to use design-build contracting for public works projects that exceed $1 million in cost.

7.6. **Technology General Consulting Services / Radio – Increase in Contract Authority**

M/S/C (Matthews/Campos) to authorize the General Manager to amend and increase an existing $351,276, three-year contract with Day Wireless for specialized radio support, maintenance, and consulting services. The proposed amendment would extend the term of the contract for an additional three years, with an increased contract value of $265,000, bringing the total contract to 6 years and $616,276.

7.7. **Fiscal Year 2013 Quarterly Statement of Revenues and Expenses for the Period Ending March 31, 2013**

M/S/C (Matthews/Campos) to review and accept the Fiscal Year 2013 Quarterly Statement of Revenues and Expenses for the period ending March 31, 2013.

7.8. **Amend VTA Administrative Code and Board Rules of Procedure**

M/S/C (Matthews/Campos) to adopt Resolution No. 2013.06.11 to: (1) repeal the existing VTA Administrative Code and the Board Rules of Procedure, and (2) re-adopt both items with modifications resulting from a comprehensive review and revision of both.

7.9. **SR 237/US 101/Mathilda Avenue Interchange Improvements - Execute Design Contract with WMH Corporation**

M/S/C (Matthews/Campos) to authorize the General Manager to execute a cost plus fixed fee contract with WMH Corporation in an amount not to exceed $1,400,000 for an initial term of three years to perform planning, preliminary engineering and environmental documentation services for the SR 237/US 101/Mathilda Avenue Interchange Improvements project; and authorize the General Manager to negotiate and execute the necessary agreements with Caltrans to complete the project. Board Member Khamis recused.

7.10. **FY 2014 & FY 2015 CMP Work Program**

M/S/C (Matthews/Campos) to approve the Fiscal Year 2014 and Fiscal Year 2015 Congestion Management Work Program.

7.11. **FY2013/14 TDA3 Project Priorities**

M/S/C (Matthews/Campos) to adopt Resolution No. 2013.06.12 approving the project priorities for the FY2013/14 Countywide Transportation Development Act Article 3 Program.
7.12. **Project Readiness Agreement Term Extension**

M/S/C (Matthews/Campos) to approve extension of the term of the Project Readiness Initiative Program until all of the approved funding is depleted or June 30, 2014, whichever occurs first.


M/S/C (Matthews/Campos) to authorize the General Manager to execute a contract with Kittelson & Associates, Inc. for Monitoring and Conformance Program services for an amount not to exceed $1,128,012 for the 2013-17 cycles. The first contract will be to provide monitoring services for the 2013 Monitoring and Conformance cycle with up to four one-year extensions through 2017.

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

Approve the proposed Development Concept for the Tamien Development Project (Project) and authorize the General Manager to proceed with the next phases of the entitlement process for this Project.

7.15. **VTA OBAG Grant Applications: Sponsoring Agency Resolution**

M/S/C (Matthews/Campos) to adopt Resolution No. 2013.06.16 Sponsoring Agency Resolution of Support for VTA One Bay Area Grant (OBAG) projects.

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

Approve the First Report of the Priority Development Area (PDA) Investment and Growth Strategy.

7.17. **Safe Routes to Transit Grant for the Santa Clara Caltrain Pedestrian/Bicycle Tunnel Extension Project**

M/S/C (Matthews/Campos) to adopt a Resolution No. 2013.06.13 authorizing the General Manager to accept Safe Routes to Transit (SR2T) funds from Regional Measure 2 for the Santa Clara Caltrain Pedestrian/Bicycle Tunnel Extension project.

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

Authorize the General Manager to execute a contract with Granite Rock Company dba Pavex Construction Division, the lowest responsive and responsible bidder, in an amount of $16,831,045 for the construction of the Capitol Expressway Light Rail Project - Eastridge Transit Center and Bus Improvements.

7.19. **Re-Roof of Cerone Division, Building G**

M/S/C (Matthews/Campos) to authorize the General Manager to execute a Contract with AlCal Specialty Contracting, the lowest responsive and responsible bidder, in the amount of $602,540.00 for the replacement of the original building roof systems at the Cerone Bus Division. The work shall encompass four older roofs on Building G, excluding the expansion additions built in 2001.
7.20. **Silicon Valley Berryessa Extension (SVBX) Project Budget Establishment for Inspection by Private Third Party Utility Entities**

M/S/C (Matthews/Campos) to authorize the General Manager to enter into agreements with private utility owners for construction safety oversight and inspection services related to Silicon Valley Berryessa Extension (SVBX) Project construction activities which will occur in close proximity to existing utility facilities in an estimated aggregate amount of $5,080,000.

7.21. **SVBX Residential Noise Insulation Program – Amendment to Engineering Services Contract with CSDA Architects**

M/S/C (Matthews/Campos) to authorize the General Manager to execute a contract amendment with CSDA Architects in an amount not to exceed $484,000, increasing the total contract value to $2,246,948.88, for construction oversight services for the Silicon Valley Berryessa Extension (SVBX) Residential Noise Insulation Program (RNIP) construction contracts.

7.22. **SVBX Residential Noise Insulation Program Construction Group One Contract - C750**

M/S/C (Matthews/Campos) to authorize the General Manager to execute a contract with G.E. Chen Construction, the lowest, responsive and responsible bidder in the amount of $806,820 for the Group One’s construction of Residential Noise Insulation Program.

7.23. **Recommended Interim FY 2014 Internal Audit Work Plan**

M/S/C (Matthews/Campos) to approve the interim Fiscal Year 2014 Internal Audit Work Plan for a maximum amount of $290,500.

7.24. **Proactive CMP Quarterly Report for Jan-Mar 2013**

M/S/C (Matthews/Campos) to receive the Proactive CMP Quarterly Report for January through March 2013.

7.25. **Light Rail Efficiency Project Status Update**

M/S/C (Matthews/Campos) to receive an update on the Light Rail Efficiency Project

7.26. **Caltrans Highway Relinquishment Study for SR 82 El Camino Real**

M/S/C (Matthews/Campos) to receive a report on the proposed highway relinquishment study for SR 82 El Camino Real as part of the Grand Boulevard Initiative.

2. **AWARDS AND COMMENDATION**

2.1. **Employees of the Month for June 2013**

Chairperson Pirzynski recognized Jose Padilla, Senior Web Developer, River Oaks Administration; Brian Blassingame, Coach Operator, Cerone Division; and Monte Bjerke, Overhaul and Repair Mechanic, Cerone Maintenance, as Employees of the Month for June 2013.
3. CLOSED SESSION

Public Comment

Tammy Dhanota, Chairperson, VTA Chapter of the Service Employees International Union (SEIU), asked the Board to ensure SEIU received a fair contract. She referenced the support and contributions of SEIU members to VTAs. Dhanota reported Harvey M. Rose Associates, LLC (Harvey Rose), engaged by the bargaining units, reviewed VTA’s financials and identified $60 million in reserves in 2011 and $260 million in reserves in 2013. She stated: 1) these reserves are a direct result of employee sacrifices; 2) VTA is financially secure; and 3) the SEIU employees are asking for a fair contract.

Ron Roberts, Chief Steward, SEIU, requested the imposed limit be lifted to ensure a fair contract. He reported: 1) forty percent of SEIU members are below the economic stability point for Santa Clara County; 2) most are living paycheck to paycheck; 3) the current offer sitting on the table would be a reduction in take-home pay; 4) management has stated there is a limit to what they can do; 5) the SEIU members want to be able to afford to live in the community in which they work; and 6) ensuring a fair contract would allow these employees the necessary funds to feed and house their families.

Maria Valero, SEIU Contract Negotiating Team Member, noted some SEIU members’ wages are so low they were exempt from the 2009 furloughs. Increasing their medical costs and Public Employee Retirement System (PERS) retirement will put their wages in the negative. She requested the Board honor the members’ sacrifices and provide a fair contract.

Grable Ramirez, Construction Inspector, stated his group has been underpaid for the past eight (8) years and requested VTA provide them with a wage equal to their counterparts within the local cities and the County of Santa Clara (County).

Haniet Bourshrockn, Business Systems Analyst II, Member SEIU, referenced a recurring problem at VTA with contracts and salary realignments, noting VTA salaries are below the average in the area. She noted VTA salaries need to be on par with the other agencies. Ms. Bourshrockn stated VTA employees need to be able to live on their salaries within this valley.

Judy Tipton, Projects Controls Specialist, Member SEIU, noted that she and her coworkers take their role as stewards of the public’s tax dollars seriously. Ms. Tipton expressed concern that the employees will not be able to continue to work in this County if each year the employees are financially worse off than the year before.

Harry Yip, Vice President, Transportation Authority Engineers and Architects Association (TAEA), Assistant Transportation Engineer SVRT Stations, reported his group is at the bottom of the salary survey compared to their peers at other agencies.

Raj Sehdev, Senior Architect SVRT Project, Member TAEA, defined projects the TAEA members are currently supporting and noted TAEA brings intellectual capital that doesn’t receive the proper attention it deserves. He stated TAEA members add value to this agency.

Pedy Pasqual, Accountant Assistant – Payroll, stated he is seeking a fair contact between VTA’s management and the SEIU members.
Francene Weisert, Senior Cost & Schedule Coordinator, Member TAEA, provided a letter to the Board. Ms. Weisert asked for the Board’s support in bringing salaries to a professional equity in order to meet VTA’s future demands.

3.1. **Recess to Closed Session at 5:55 p.m.**

**A. Conference with Real Property Negotiators**

[Government Code Section 54956.8]

Property: Fee interest in property located at the southwest corner of West San Carlos Avenue and Sunol Blvd in San Jose

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

Negotiating Parties: Michael VanEvery, Green Republic

Under Negotiation: Possible amendment to terms and conditions of payment of existing Purchase and Sale Agreement

**B. Existing Litigation - Conference with Legal Counsel**

[Government Code Section 54956.9(a)]

Name of case: McKee v. SCVTA, Claim # 1759258

Case no: Unassigned

**C. Existing Litigation - Conference with Legal Counsel**

[Government Code Section 54956.9(a)]

Name of case: Santa Clara Valley Transportation Authority v. 1523 Gladding Court, LLC, a California Limited Liability Company

Case no: 1-12-CV-216787

**D. Conference with Labor Negotiators**

[Government Code Section 54957.6]

Bill Lopez, Chief Administrative Officer
Robert L. Escobar, Deputy Director, Administrative Services
Joseph Smith, Chief Financial Officer

**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
E. Public Employment  
[Pursuant to Government Code Section 54957]  
Title of position to be filled: General Manager  

F. Public Employee Performance Evaluation  
[Government Code Section 54957]  
Title: General Counsel  

Board Member Herrera arrived at the meeting and entered Closed Session at 6:30 p.m.  

3.2. Reconvened to Open Session at 6:58 p.m.  

3.3. Closed Session Report  

A. Conference with Real Property Negotiators  
[Government Code Section 54956.8]  
Property: Fee interest in property located at the southwest corner of West San Carlos Avenue and Sunol Blvd in San Jose  
Agency Negotiator: Bijal Patel, Deputy Director, Property Development & Management  
Negotiating Parties: Michael VanEvery, Green Republic  
Under Negotiation: Possible amendment to terms and conditions of payment of existing Purchase and Sale Agreement  
Robert Fabela, General Counsel, reported that no reportable action was taken during Closed Session.  

B. Existing Litigation - Conference with Legal Counsel  
[Government Code Section 54956.9(a)]  
Name of case: McKee v. SCVTA, Claim # 1759258  
Case no: Unassigned  
Mr. Fabela reported that no reportable action was taken during Closed Session.  

C. Existing Litigation - Conference with Legal Counsel  
[Government Code Section 54956.9(a)]  
Name of case: Santa Clara Valley Transportation Authority v. 1523 Gladding Court, LLC, a California Limited Liability Company  
Case no: 1-12-CV-216787
Mr. Fabela reported that no reportable action was taken during Closed Session.

D. Conference with Labor Negotiators

[Government Code Section 54957.6]

Bill Lopez, Chief Administrative Officer

Robert L. Escobar, Deputy Director, Administrative Services

Joseph Smith, Chief Financial Officer

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

Mr. Fabela stated a tentative agreement with AFSCME was presented to the Board and the Board has chosen to vote on that tentative agreement in public session.

E. Public Employment

[Pursuant to Government Code Section 54957]

Title of position to be filled: General Manager

Mr. Fabela reported that no reportable action was taken during Closed Session.

F. Public Employee Performance Evaluation

[Government Code Section 54957]

Title: General Counsel

Chairperson Pirzynski reported that no reportable action was taken during Closed Session.

3.4. Negotiated Amended Successor Labor Agreement

M/S/C (Matthews/Kalra) to approve and formally adopt a successor labor agreement negotiated between the Santa Clara Valley Transportation Authority (VTA) and American Federation of State, County and Municipal Employees (AFSCME), Local 101.
4. PUBLIC COMMENT

James Whitman, Interested Citizen, expressed concern regarding safety and changes to bus and light rail schedules.

Michael Ludwig, Interested Citizen, referenced the Plan Bay Area meeting and expressed concern that the notice for the meeting was not posted until the Monday prior to the meeting.

Victor Gomez, Council Member, City of Hollister, identified State Route 152 as an important East/West corridor and requested funding be provided to complete the environmental clearance.

5. PUBLIC HEARINGS

There was no Public Hearing.

The agenda was taken out of order.

8. REGULAR AGENDA

Administration and Finance Committee

8.1. Approval of Recommended Biennial Budget for Fiscal Years 2014 and 2015

Joseph T. Smith, Chief Financial Officer, provided a PowerPoint presentation, highlighting: 1) FY14 and FY15 Budget Objectives; 2) VTA Transit Major Operating Assumptions; 3) FY14 and FY15 Budget Updates from Draft Budget; 4) FY14 and FY15 Budget Revised Appropriation Summary; and 5) Budget Outreach & Meeting Schedule.

Board Member Liccardo expressed concern that the $200,000 for the Peninsula Crosstown Transit Connectivity Study was taken out of the 2000 Measure A Funds rather than the General Fund. Mr. Burns noted the project is centered on the east west corridors, connecting with El Camino Real and Caltrain, as contained in Measure A for potential BRT Light Rail expansion.

Public Comment

Eugene Bradley, Silicon Valley Transit Users, expressed concern that VTA might not be able to meet game-day service for either the Earthquakes’ soccer games or the 49ers football games. He then expressed concern over potential, additional traffic impacts caused by the new Apple Campus in Cupertino and requested staff to respond.

Board Member Liccardo stated he would like to make a motion to approve the budget as recommended by staff with the request that staff first look to other sources within the general fund to fund the $200 thousand for the Peninsula Crosstown Transit Connectivity Study and then to Measure A if there is in fact no funding available in the General Fund.

Mr. Burns noted although the project qualifies for Measure A funding that does not mean it has to be funded out of the Measure A Program. He noted staff would look to other sources within the general fund.
M/S/C (Liccardo/Matthews) to adopt Resolution No. 2013.06.14 approving the Fiscal Years 2014 and 2015 Recommended Biennial Budget for period July 1, 2013 through June 30, 2015, with a request that staff explore funding for the Peninsula Cross-town Transit Connectivity Study through sources other than Measure A.

Congestion Management Program and Planning Committee

8.2. (Moved From the Regular Agenda to the Consent Agenda.)

Approve the One Bay Area Grant (OBAG) projects.

8.3. (Moved From the Regular Agenda to the Consent Agenda.)

Approve the following actions for the U.S. 101 Improvements Project:

1) Certify that the Environmental Impact Report (EIR):
   a) Meets the requirements of the California Environmental Quality Act (CEQA);
   b) Represents the independent judgment of the Lead Agency; and
   c) Was presented to the VTA Board of Directors and that they reviewed and considered the EIR.

2) Adopt:
   a) Findings;                                         
   b) Facts in Support of Findings; and                
   c) Statement of Overriding Considerations

3) Adopt a Mitigation Monitoring and Reporting Program

4) Adopt the Recommended Project Description (Build Alternative B and Bike Alternative 2)

Transit Planning and Operations Committee

8.4. Silicon Valley Berryessa Extension Project Labor Agreement (PLA) Amendment

Carolyn Gonot, Chief SVRT Program Officer, introduced Dennis Ratcliffe, Deputy Director SVRT Program Office. Mr. Ratcliffe provided the staff report.

Mr. Ratcliffe noted both he and Neil M. Struthers, Chief Executive Officer of the Santa Clara & San Benito Counties Building & Construction Trades Council, were available to answer questions.

Board Member Matthews stated it is critical to have the right people, local people, working on large public projects where assurance of quality must be established. He referenced the PLA used to build the stadium within the City of Santa Clara (Santa Clara) and noted work on the stadium is approximately four months ahead of schedule, because the PLA ensured qualified people were hired and their time
was committed solely to that project. He noted it is good public policy to utilize PLAs.

**M/S/C (Matthews/Campos) to adopt Resolution of Findings No. 2013.06.15**

that use of a Project Labor Agreement for Parking Structures at Milpitas and Berryessa Stations Design-Build contract (VTA contract C730-Parking Structures) of the Silicon Valley Berryessa Extension Project will ensure the availability and stability of labor resources throughout the duration of the project; and authorize the General Manager to enter into an amendment to the existing Project Labor Agreement with the Santa Clara & San Benito Counties Building & Construction Trades Council for the Line, Track, Stations and Systems Design-Build contract of the Silicon Valley Berryessa Extension Project to include the Campus Parking Structures at Milpitas and Berryessa Stations within the scope of the Project Labor Agreement.

**7.14. Update to Tamien Joint Development**

Chairperson Pirzynski noted several emails had been received in reference to this item. He stated copies of the emails had been provided to the board members and were available on the public table.

Mr. Burns noted the Board requested staff bring back a conceptual development plan as required for entering into the entitlement process with the City of San José (San José). With Board approval, staff would begin discussions with San José on: 1) full entitlement process; 2) full public participation; 3) review by the planning department and all of the appropriate agencies within San José; and 4) public meetings for community input. Mr. Burns stated this is the first step for entering San José’s process.

Board Member Liccardo reported his spouse is employed by Rocketship Education, which recently received a disposition from San José for the construction and operation of a charter elementary school and playground located adjacent to the property in discussion. He noted, following conversations with San José, that he is not required to recuse himself on this item.

Board Member Liccardo noted he would like to alter the recommendation to read: Approve entering an application process with the City of San José and moving forward with the public process. He noted his concern that language carries meaning with the public and approving a specific concept suggests the Board is weighing in on something without the public’s input.

Chairperson Pirzynski confirmed with Mr. Fabela that a modification to the recommendation was acceptable.

Board Member Yeager referenced the parking structure and noted there are outstanding issues that need to be discussed. Mr. Burns stated that staff was not prepared to discuss those issues in any level of detail, but noted specific questions could be addressed.
John Ristow, Chief Congestion Management Agency Officer, provided a PowerPoint presentation, entitled Update to Tamien Joint Development, highlighting: 1) Project Area; 2) Project Development Path; 3) Preliminary Site Plan; 4) Land Use History; and 5) VTA Development History.

Board Member Yeager stated completing the park would benefit the entire area.

Public Comment

Richard Zappelli, Willow Glen Neighborhood Association, expressed his appreciation for moving this project forward. He noted the importance of the park to the community. He stated providing safe routes to transportation for the fixed-income seniors living within that community needs to be a priority.

Roland Lebrun, Interested Citizen, noted: 1) This item should have been reviewed by the Citizens Advisory Committee (CAC) prior to being reviewed by the Congestion Management Program and Planning (CMPP) Committee; 2) The Caltrain parking lot cannot be moved to the other side of the freeway, due to Caltrain’s location on the other side of the freeway. He noted there is strong opposition to that idea; 3) He reported between 2006 and 2011 there was $1.4 million available for a parking structure on this site. When it expired after five years, the funds reverted to San José’s Parkland Dedication Ordinance (PDO) and Park Impact Ordinance (PIO). Subsequently, San José used that money to buy the Rocketship Education property. He noted that the $1.4 million, paid upfront by the developer, should be put into a parking structure.

M/S/C (Liccardo/Matthews) to accept the staff report and enter application process with the City of San José and move forward with the public process related to the Tamien Development Project.

7.16. PDA Investment and Growth Strategy - First Report

Board Member Liccardo referenced the sentence within the memo that starts with “VTA has the responsibility of developing a PDA Investment and Growth Strategy for Santa Clara County”. He noted concern among local elected officials about loss of local control. Board Member Liccardo stated this is at the direction of state and regional authorities. He noted, as a result of State Bill 375, VTA will be entering into the land-use business. He expressed his appreciation for the effort put forth by staff and the training directors throughout the County.

Mr. Ristow noted this document will assist the Board in making investment decisions in the future.

M/S/C (Liccardo/Khamis) to approve the First Report of the Priority Development Area (PDA) Investment and Growth Strategy.

7.18. Capitol Expressway Light Rail Project - Eastridge Transit Center and Bus Improvements Contract

Board Member Herrera expressed her appreciation to Ken Ronsse, Deputy Director Construction, as well as to all of the VTA and San José staff members who devoted their time and effort to the Capital Expressway Light Rail Project.
Board Member Herrera lauded the elected leaders who preceded her on the Board for making this project a priority. She noted their efforts predate her engagement on this project, which began in 2009 when the Board approved her recommendation to phase this project.

Board Member Herrera noted the safety improvement projects on Capital Expressway have now been completed. The next phase will bring a pedestrian walkway, landscape buffer, and lighting between Tully and Quimby Roads.

Board Member Herrera noted the Eastridge Transit Center is very significant for the Eastside.

**Public Comment**

Michel Ludwig, Interested Citizen, expressed his support for a rapid completion of the Light Rail extension.

Board Member Campos noted that each time the Board approves another step of the Eastridge Light Rail Extension process it shows the Eastside Neighborhood Associations that significant steps are being taken to ensure this project is moving forward.

**M/S/C (Herrera/Campos)** to authorize the General Manager to execute a contract with Granite Rock Company dba Pavex Construction Division, the lowest responsive and responsible bidder, in an amount of $16,831,045 for the construction of the Capitol Expressway Light Rail Project - Eastridge Transit Center and Bus Improvements.

6. **REPORTS**

6.1. **Citizens Advisory Committee (CAC) Chairperson’s Report**

Clinton Brownley, CAC Chairperson, provided a report on the discussions held at the May 15, 2013, CAC meeting, highlighting: 1) OBAG report simplified by staff; 2) Investment growth strategy; willing to take comment back to their constituents; and 3) the Citizens Watchdog Committee (CWC) Measure A public hearing.

6.2. **Policy Advisory Committee (PAC) Chairperson’s Report**

Alternate Board Member and PAC Chairperson Gail A. Price provided a report on the discussions held at the May 16, 2013, PAC meeting, noting the PAC recommended the Board approve: 1) OBAG; 2) PDA; 3) Relinquishment of SR 82 El Camino Real; 4) FY2014-15 Congestion Management Work Program; 5) TDA Article 3 Program; and 6) to extend the Project Readiness Initiative Program.

Ms. Price noted when she worked at VTA she worked on conceptual light rail to Eastridge and is happy to see projects come to fruition.
6.3. **General Manager’s Report**

Mr. Burns reported: 1) Average weekday ridership increased 4.9 percent; 2) The SR 237 Express Lanes project was selected as the California Transportation Foundation’s Project of the Year; 3) VTA was presented with a rail safety award for its Left Hand Turn and Track Intrusion Prevention Project at the American Public Transportation Association (APTA) rail meeting held in Philadelphia; 4) The twelve month Warren Avenue road closure will begin on June 17, 2013; 5) Mission Avenue will be closed for two weekends in July; 6) A community meeting will be held regarding late June, early July construction on Dixon Landing Road; 7) The Kato Road Project was recently completed; 8) More than 60 attendees, including small and small minority owned businesses, community organizations, minority, women’s and general contractor groups attended VTA’s recent Public Participation event at the River Oaks Auditorium on May 21, 2013. Information; 9) Carolyn Gonot, Chief SVRT Program Officer, was recently honored as “Woman of the Year” by the San Francisco Chapter of the Women’s Transportation Seminar (WTS).

6.3.A. **BART Silicon Valley Program Update**

*On order of Chairperson Pirzynski* and there being no objection, the Silicon Valley Rapid Transit (SVRT) Program Update was received as contained in the agenda packet.

6.3.B. **Palo Alto Transit Center Update**

Mr. Burns reported that the Palo Alto Transit Center sublease, which has been in effect since 1981, will terminate on June 30, 2013. The transit center is occupied by the Palo Alto Transit Center and the Palo Alto Caltrain Station.

Mr. Burns noted ongoing issues with the facility, including the amount of rent and property tax being paid to the lease holder, the City of Palo Alto (Palo Alto). A board subcommittee, including Board Member Yeager and Alternate Board Member Price, had a positive meeting with Stanford, followed by further discussions with both Stanford and Palo Alto.

Palo Alto has informed VTA that they wish to remain as part of the lease arrangement at present, with a long-term desire to be removed as a result of future development in the area. Given the complexity of issues and the number of parties involved, it is clear that a resolution will not be reached by the time the lease expires. All have agreed that VTA will continue the status as holdover tenant. Updates on future discussions for the long-term future of the transit center will be provided to the Board.

*On order of Chairperson Pirzynski* and there being no objection, the Palo Alto Transit Center Update was received.
6.3.C. **Metropolitan Transportation Commission (MTC) and California Transportation Commission (CTC) Activities Update**

On order of Chairperson Pirzynski and there being no objection, the Metropolitan Transportation Commission (MTC) and California Transportation Commission (CTC) Activities Update was received as contained in the agenda packet.

6.4. **Chairperson's Report**

Chairperson Pirzynski reminded the Board of the June 28, 2013, board meeting.

6.5. **(Deferred to a future Board of Directors meeting)**

A Plan Bay Area presentation from the Metropolitan Transportation Commission (MTC) Executive Director, Steve Heminger, and the Association of Bay Area Governments (ABAG) Executive Director, Ezra Rapport.

9. **OTHER ITEMS**

9.1. **ITEMS OF CONCERN AND REFERRAL TO ADMINISTRATION**

9.1.1. **(Referred to the August 15, 2013, Transit Planning & Operations (TP&O) Meeting)**

Alternate Board Member Khamis noted his staff’s efforts in investigating the cost and environmental efficiencies of the Compressed Natural Gas (CNG) buses. He quoted Board Member Yeager, noting that natural gas is one of the cleanest burning and most abundant sources of fuel available. He stated, by his analysis, there would be both a savings to the environment and to VTA by changing to CNG buses.

Alternate Board Member Khamis reported the County is transforming their entire fleet of 2500 vehicles to natural gas. He praised the County’s effort and expressed hope that other agencies will follow their lead.

**Public Comment**

Eugene Bradley, Silicon Valley Transit Users, stated Santa Cruz Metro has been using CNG for over ten years, with over 80 percent of its buses powered by CNG. He recommended VTA utilize one manufacturer if converting its fleet to CNG.

Member Campos confirmed with Mr. Burns that a study would be performed and provided to the Board in advance of presenting the item for Board approval.

Member Campos reiterated his request for expanding routes with smaller buses into underserved neighborhoods.
9.2. Reports from VTA Committees, Joint Powers Boards (JPB), and Regional Commissions

9.2.A. VTA Standing Committees
- Administration and Finance Committee (A&F) – May 23, 2013, Minutes were accepted as contained on the dais.
- Congestion Management Program and Planning Committee (CMPP) – May 23, 2013, Minutes were accepted as contained on the dais.
- Transit Planning and Operations Committee (TP&O) – There was no report.
- Audit Committee – May 2, 2013, Minutes were accepted as contained on the dais.
- Silicon Valley Rapid Transit Program Working Committee – There was no report.

9.2.B. VTA Advisory Committees
- Committee for Transit Accessibility (CTA) – There was no report.
- Citizens Advisory Committee (CAC) and 2000 Measure A Citizens Watchdog Committee (CWC) – May 8, 2013, Minutes were accepted as contained in the Agenda Packet.
- Bicycle & Pedestrian Advisory Committee (BPAC) – May 15, 2013, Minutes were accepted as contained in the Agenda Packet.
- Technical Advisory Committee (TAC) – May 16, 2013, Minutes were accepted as contained in the Agenda Packet.
- Policy Advisory Committee (PAC) – May 16, 2013, Minutes were accepted as contained in the Agenda Packet.

9.2.C. VTA Policy Advisory Boards (PAB)
There were no reports from the Policy Advisory Boards.

9.2.D. Joint Powers Boards and Regional Commissions
- Peninsula Joint Powers Board – Caltrain – June 6, 2013, Summary Notes were accepted as contained on the dais.
- Metropolitan Transportation Commission Meeting – May 22, 2013, Summary Notes were accepted as contained on the dais.
- Sunol Smart Carpool Lane Joint Powers Authority Governing Board – May 13, 2013, Summary Notes were accepted as contained on the dais.

Public Comment
Mr. LeBrun expressed his concerns regarding the interface between Caltrain’s Communications Based Overlay Signal System (CBOSS) and other Positive Train Control (PTC) systems.
9.3. Announcements

There were no announcements.

10. ADJOURN

On order of Chairperson Pirzynski and there being no objection, the meeting was adjourned at 8:00 p.m.

Respectfully submitted,

Susan E. Garcia, Board Assistant
VTA Office of the Board Secretary