BOARD OF DIRECTORS

COMMITTEE OF THE WHOLE MEETING

(In Lieu of Administration & Finance Committee Meeting, Congestion Management Program & Planning Committee, and Transit Planning & Operations Committee Meetings)

Thursday, October 17, 2013
10:00 AM

MINUTES

CALL TO ORDER

The Committee of the Whole Meeting of the Santa Clara Valley Transportation Authority’s (VTA) Board of Directors was called to order by Chairperson Matthews at 10:04 a.m. in VTA Conference Room B-104, 3331 North First Street, San Jose, California.

1.1. 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>Absent</td>
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<tr>
<td>Xavier Campos</td>
<td>Board Member</td>
<td>Absent</td>
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<tr>
<td>Larry Carr</td>
<td>Alternate Board Member</td>
<td>Absent</td>
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<tr>
<td>Cindy Chavez</td>
<td>Board Member</td>
<td>Absent</td>
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<tr>
<td>Dave Cortese</td>
<td>Alternate 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>Absent</td>
</tr>
<tr>
<td>Ash Kalra</td>
<td>Vice Chairperson</td>
<td>Absent</td>
</tr>
<tr>
<td>Johnny Khamis</td>
<td>Alternate Board Member</td>
<td>Absent</td>
</tr>
<tr>
<td>Sam Liccardo</td>
<td>Board Member</td>
<td>Absent</td>
</tr>
<tr>
<td>Jamie Matthews</td>
<td>Board Member</td>
<td>Present</td>
</tr>
<tr>
<td>Chuck Page</td>
<td>Alternate Board Member</td>
<td>Absent</td>
</tr>
<tr>
<td>Joe Pirzynski</td>
<td>Chairperson</td>
<td>Present</td>
</tr>
<tr>
<td>Gail A. Price</td>
<td>Alternate Board Member</td>
<td>Absent</td>
</tr>
<tr>
<td>Donald Rocha</td>
<td>Board Member</td>
<td>Absent</td>
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<tr>
<td>David Whittum</td>
<td>Alternate Board Member</td>
<td>Absent</td>
</tr>
<tr>
<td>Perry Woodward</td>
<td>Board Member</td>
<td>Absent</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/was not present and a Committee of the Whole was declared.
2. ORDERS OF THE DAY

Chairperson Matthews noted the following changes to the agenda:

Removed from the Regular Agenda and placed on the Consent Agenda: **Agenda Item #7.**, VTA Noise Barrier Program; **Agenda Item #8.**, Local Program Reserve Programming Actions; **Agenda Item #9.**, 2014 STIP Program Adoption; **Agenda Item #10.**, Adopt the 2013 VTA Congestion Management Program (CMP), and; **Agenda Item #14.**, Pedestrian Swing Gates Replacement.

Defer to the November 13, 2013 CMPP Meeting: **Agenda Item #12.**, Revised Purchase and Sale Agreement with Green Republic for West San Carlos and **Agenda Item #13.**, West San Carlos Development Agreement with City of San Jose.

**On order of Chairperson Matthews,** and there being no objection, the Committee of the Whole accepted the Orders of the Day.

3. PUBLIC COMMENTS

Roland LeBrun, Interested Citizen, made the following comments: thanked VTA for repairing the Tamien escalators as well as making it easier for seniors to get Clipper Cards; suggested the remaining funds for the Central Valley double tracking project be rerouted to the San Jose area to help finance the extension of Caltrain to Blossom Hill; that VTA be designated to oversee the Los Gatos Replacement Bridge project, and; requested that the meetings be held in the River Oaks Auditorium.

CONSENT AGENDA

4. **Monthly Legislative History Matrix**

**On order of Chairperson Matthews,** and there being no objection, the Committee reviewed the Monthly Legislative History Matrix.

5. **Fiscal Year 2013 Quarterly Statement of Revenues & Expenses for the Period Ending June 30, 2013**

**On order of Chairperson Matthews,** and there being no objection, the Committee of the Whole approved submitting a recommendation to the Board of Directors to review and accept the Fiscal Year 2013 Quarterly Statement of Revenues and Expenses for the period ending June 30, 2013.

6. **VTA Permit Fee Schedule Revisions**

**On order of Chairperson Matthews,** and there being no objection, the Committee of the Whole approved submitting a recommendation to the Board of Directors to revise the VTA Permit Policy to authorize the General Manager to waive fees for parties making transit improvements for VTA and adopt a resolution amending the VTA Permit Fee Schedule, adjusting fees to be collected for Construction Access Permits and Restricted Access Permits to be consistent with the revision of VTA allocated rates.

7. **VTA Noise Barrier Program**

**On order of Chairperson Matthews,** and there being no objection, the Committee of the Whole approved submitting a recommendation to the Board of Directors to review VTA’s Adopted Sound Barrier Program.
8. **LOCAL Program Reserve Programming Actions**

On order of Chairperson Matthews, and there being no objection, the Committee of the Whole approved submitting a recommendation to the Board of Directors to approve the allocation of $5,460,000 of Local Program Reserve (LPR) to:

- SR 680 Corridor Study $250,000
- I-280 Corridor Study $250,000
- I-280/Winchester Blvd Off-Ramp $250,000
- US 101 Auxiliary Lanes Project $260,000 and
- SR 237, SR 85 and US 101 Express Lanes $4,450,000

9. **2014 STIP Program Adoption**

On order of Chairperson Matthews, and there being no objection, the Committee of the Whole approved submitting a recommendation to the Board of Directors to adopt a resolution to program 2014 State Transportation Improvement Program (STIP) capacity to projects; approve a funding exchange of $14.5 million in STIP funds for $14.5 million in Measure A funds; increase the 2000 Measure A Transit Improvement Program Fund Capital Budget by $14.5 million; and authorize the General Manager to execute appropriate funding agreements to receive STIP funds.

10. **Adopt the 2013 VTA Congestion Management Program (CMP)**

On order of Chairperson Matthews, and there being no objection, the Committee of the Whole approved submitting a recommendation to the Board of Directors to adopt the 2013 VTA Congestion Management Program (CMP).

14. **Pedestrian Swing Gates Replacement**

On order of Chairperson Matthews, and there being no objection, the Committee of the Whole approved submitting a recommendation to the Board of Directors to authorize the General Manager to execute a contract with GECMS Inc. dba Gyeron Construction, the second lowest responsible bidder, in the amount of $337,400 for the construction of Pedestrian Swing Gates Replacement, and relieve the low bidder of its obligation to perform the contract.

**REGULAR AGENDA**

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

Review VTA Noise Barrier Program.

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

Local Program Reserve Programming Actions.

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

Adopt a resolution to program 2014 State Transportation Improvement Program (STIP) capacity to projects; approve a funding exchange of $14.5 million in STIP funds for $14.5 million in Measure A funds; increase the 2000 Measure A Transit Improvement Program Fund Capital Budget by $14.5 million; and authorize the General Manager to execute appropriate funding agreements to receive STIP funds.
10. **(Removed from the Regular Agenda and placed on the Consent Agenda.)**
   Adopt the 2013 VTA Congestion Management Program (CMP).

11. **Adoption of VTA Title VI Policies and Standards**
    
    On order of Chairperson Matthews, and there being no objection, the Committee of the Whole approved submitting a recommendation to the Board of Directors to adopt the proposed Major Service Change, Disparate Impact and Disproportionate Burden Policies and the System-wide Service Standards & Policies as mandated by Federal Transit Administration (FTA) Title VI guidelines.

12. **(Deferred to November 13, 2013 CMPP Meeting.)**
    
    Authorize the General Manager to execute a revised Purchase and Sale Agreement for the property known as the Ohlone Project with Green Republic, LLC.

13. **(Deferred to November 13, 2013 CMPP Meeting.)**
    
    Authorize the General Manager to execute a Development Agreement with Green Valley Corporation d/b/a Barry Swenson Builders, Green Republic, LLLP, and the City of San Jose as related to the Purchase and Sale Agreement for the VTA Property known as “West San Carlos Property.”

14. **(Removed from the Regular Agenda and placed on the Consent Agenda.)**
    
    Authorize the General Manager to execute a contract with GECMS Inc dba Gyeron Construction, the second lowest responsible bidder, in the amount of $337,400 for the construction of Pedestrian Swing Gates Replacement, and relieve the low bidder of its obligation to perform the contract.

15. **Analysis of Purchasing Compressed Natural Gas (CNG) Buses**
    
    Michael T. Burns, General Manager, advised that the procurement for the 30 foot buses is still in negotiations and suggested that this item be continued to the November 21, 2013, Transit, Planning and Operations (TPO) Committee meeting. The schedule for the procurement of the 30-foot buses will be dependent on the Board’s decision on the CNG issue.

    On order of Chairperson Matthews, and there being no objection, the Committee of the Whole deferred the Analysis of Purchasing CNG buses and continued the matter to the November 21, 2013, TPO meeting.

**OTHER**

16. **Items of Concern and Referral to Administration**
    
    Board Member Esteves expressed concern on the traffic delays on 237 West.

    Mr. Burns indicated VTA is looking into issue. John Ristow, Chief CMA Officer indicated VTA will gather information on usage and time.

17. **Committee Staff Report**
    
    John Ristow provided a handout for the Committee Staff Report.
On order of Chairperson Matthews, and there being no objection, the Committee of the Whole received the Committee Staff Report.

18. **Chairperson’s Report**

There was no Chairperson’s Report.

19. **Determine Consent Agenda for the November 7, 2013 Board of Directors Meeting.**

**CONSENT:**

**Agenda Item #4.** Review the Monthly Legislative History Matrix.

**Agenda Item #5.** Review and accept the Fiscal Year 2013 Quarterly Statement of Revenues and Expenses for the period ending June 30, 2013.

**Agenda Item #6.** Revise the VTA Permit Policy to authorize the General Manager to waive fees for parties making transit improvements for VTA and adopt a resolution amending the VTA Permit Fee Schedule, adjusting fees to be collected for Construction Access Permits and Restricted Access Permits to be consistent with the revision of VTA allocated rates.

**Agenda Item #7.** Review VTA’s adopted Sound Barrier Program.

**Agenda Item #8.** Approve the allocation of $5,460,000 of Local Program Reserve (LPR) to:

- SR 680 Corridor Study $250,000
- I-280 Corridor Study $250,000
- I-280/Winchester Blvd Off-Ramp $250,000
- US 101 Auxiliary Lanes Project $260,000 and
- SR 237, SR 85 and US 101 Express Lanes $4,450,000

**Agenda Item #9.** Adopt a resolution to program 2014 State Transportation Improvement Program (STIP) capacity to projects; approve a funding exchange of $14.5 million in STIP funds for $14.5 million in Measure A funds; increase the 2000 Measure A Transit Improvement Program Fund Capital Budget by $14.5 million; and authorize the General Manager to execute appropriate funding agreements to receive STIP funds.

**Agenda Item #10.** Adopt the 2013 VTA Congestion Management Program (CMP).

**Agenda Item #14.** Authorize the General Manager to execute a contract with GECMS Inc. dba Gyeron Construction, the second lowest responsible bidder, in the amount of $337,400 for the construction of Pedestrian Swing Gates Replacement, and relieve the low bidder of its obligation to perform the contract.

**REGULAR**

**Agenda Item #11.** Adopt the proposed Major Service Change, Disparate Impact and Disproportionate Burden Policies and the System-wide Service Standards & Policies as mandated by Federal Transit Administration (FTA) Title VI guidelines.
20. **ANNOUNCEMENTS**

There were no Announcements.

21. **ADJOURN**

On order of Chairperson Matthews and there being no objection, the meeting was adjourned at 10:32 a.m.

Respectfully submitted,

Anita L. McGraw, Board Assistant
VTA Office of the Board Secretary