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 Vice Chairperson Woodward at 5:31 p.m. in the Board of Supervisors’ Chambers, County Government Center, 70 West Hedding Street, San José, California.

Chairperson Kalra took his seat at 5:32 p.m.

1.1. ROLL CALL

<table>
<thead>
<tr>
<th>Attendee Name</th>
<th>Title</th>
<th>Status</th>
</tr>
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<tbody>
<tr>
<td>Jason Baker</td>
<td>Alternate Board Member</td>
<td>Absent</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>Cindy Chavez</td>
<td>Board Member</td>
<td>Present</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>
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<tr>
<td>Ash Kalra</td>
<td>Chairperson</td>
<td>Present</td>
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<tr>
<td>Johnny Khamis</td>
<td>Board Member</td>
<td>Present</td>
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<tr>
<td>Rich Larsen</td>
<td>Alternate Board Member</td>
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<tr>
<td>Sam Liccardo</td>
<td>Ex-Officio</td>
<td>Absent</td>
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<tr>
<td>Jamie Matthews</td>
<td>Alternate Board Member</td>
<td>Absent</td>
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<tr>
<td>Joe Pirzynski</td>
<td>Board Member</td>
<td>Present</td>
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<tr>
<td>Gail A. Price</td>
<td>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>David Whittum</td>
<td>Board Member</td>
<td>Present</td>
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<tr>
<td>Perry Woodward</td>
<td>Vice Chairperson</td>
<td>Present</td>
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<tr>
<td>Ken Yeager</td>
<td>Board Member</td>
<td>Present</td>
</tr>
</tbody>
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* Alternates do not serve unless participating as a Member.

A quorum was present.

1.2. Orders of the Day

Chairperson Kalra noted the Agenda was revised to reflect the following: Added addendum, Agenda Item #7.3.X. Authorize the General Counsel to participate, on behalf of VTA, as an amicus curiae in support of the Department of Water Resources’ Petition for Review, and any subsequent briefs, filed with the California Supreme Court in the case of Property Reserve, Inc. v. Superior Court. He also noted Agenda Item #7.3.X would be removed from the Regular Agenda and placed on the Consent Agenda.
Chairperson Kalra noted that Staff requested removal of Closed Session Agenda Item #9.1.C. Conference with Labor Negotiators.

Chairperson Kalra noted the meeting would be adjourned in memory of Traci Bauer, VTA Light Rail Fare Inspector, who passed away last month.

Chairperson Kalra noted that Public Comment regarding Agenda Item #6.6 Xerox Corporation CAD/AVL Contract Extension, will be heard prior to approving the Orders of the Day.

Public Comment

Michael Ludwig, Interested Citizen, expressed concerns about reprogramming the real time information displayed on the light rail electronic signs.

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

RESULT: ADOPTED [UNANIMOUS] (Orders of the Day and Consent Agenda Item #: 6.1-6.19 and 7.3.X)

MOVER: Perry Woodward, Vice Chairperson
SECONDER: Joe Pirzynski, Board Member
AYES: Campos, Chavez, Esteves, Kalra, Khamis, Pirzynski, Price, Whittum, Woodward, Yeager
ABSENT: Rose Herrera, Donald Rocha

2. AWARDS AND COMMENDATION

2.1 Employees of the Month for April 2014; and Supervisor of the Quarter

Chairperson Kalra recognized Paul Conn, Reprographics Services Specialist II, River Oaks, as Employee of the Month for April 2014; and Laura Jimenez, Transportation Supervisor, Cerone Division, for Supervisor of the Quarter for the second quarter of 2014.

Board Member Rocha took his seat at 5:51 p.m.

3. PUBLIC COMMENT

Barry Chang, Interested Citizen, urged the Board to stop Express Lanes on SR Highway 85 and suggested all parties work together to find a real solution to traffic congestion.

4. PUBLIC HEARINGS

There were no Public Hearings.

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

5.1. Citizens Advisory Committee (CAC) Chairperson’s Report

William Hadaya, Chairperson, Citizens Advisory Committee, provided a brief report, highlighting: 1) discussions held at the March 12, 2014, CAC meeting. He noted that the Committee discussed with staff potential ideas to enhance the CAC’s meaningful contribution to the Board in support of VTA’s five priorities; 2) several CAC members participated in the March 25, 2014, Joint Advisory Committee Workshop Meeting on VTA’s proposed service to the new Levi’s Stadium in Santa Clara; and 3) the 2000 Measure A Citizens Watchdog Committee (CWC) will receive the Compliance Auditor’s Report in April, 2014, with a public hearing scheduled in May, 2014, and a final report will be published in late June/July, 2014.

5.2. Policy Advisory Committee (PAC) Chairperson’s Report

Howard Miller, Chairperson, Policy Advisory Committee, provided a brief report highlighting the discussions held at the March 13, 2014, PAC meeting, including: 1) the Committee discussed aligning their activities to help VT A achieve their five priorities; 2) PAC reviewed and recommended the Board approve the programming projects on the Transportation Fund for Clean Air (TFCA); and 3) provided input to staff on Pedestrian Access to Transit Plan and Transportation Impact Analysis (TIA) Guidelines.

5.3. General Manager’s Report

Nuria I. Fernandez, General Manager, provided a report, highlighting:

- Presented a Women’s History Month Video.
- Ridership statistics, noting no overall net changes.
- Clipper Ridership, noting an increase due to the transition of traditional EcoPass holders to EcoPass Clipper Card holders.
- Fare revenue was slightly down 1.8%.
- February Key Performance Indicators (KPI) exceeded established goals.
- March 21, 2014, Santa Clara-Alum Rock Bus Rapid Transit (BRT) Project groundbreaking ceremony took place at the School of Arts and Culture at the Mexican Heritage Plaza.
- Increasing VTA Connections via internal and external communications with more frequent and timely updates.
- Marketing efforts highlighting the Rapid 522 Campaign.
- Presented a video on Real Time Information (RTI).
- Get Fit With VTA Campaign.
- Where VTA Goes, Our Community Grows! Customized campaign to accentuate and promote the role public transportation plays in building and supporting the community.
- Ms. Fernandez introduced Captain Lera who discussed Security and Public Safety and highlighted the following: 1) an increase in the number
of arrests from February 2014 to March 2014; and 2) noted a successful enforcement and visibility operation was conducted March 13, 2014, between Sheriff Transit Patrol, Municipal Police Departments, and other local and state agencies to maximize visibility and safety on VTA light rail trains and platforms.

5.3.A **Current Sales Tax Receipts Update**

Ms. Fernandez noted the VTA Transit Fund Sales Tax receipts through the second quarter of FY 2014 were $2.1 Million over budget estimates. She stated current projections for FY 2014 reflect a 5.0% increase from FY 2013 versus a budgeted increase of 3.8%.

5.3.B. **Clipper Fare Collection Program Update**

Ms. Fernandez introduced Ali Hudda, Deputy Director of Accounting, who gave a brief presentation entitled “Clipper Fare Collection Program Update,” highlighting: 1) Overview; 2) History; 3) What We Have Learned; 4) Opportunity; 5) Foundation for the Future; 6) Timeline; 7) Path Forward; and 8) A & F Committee Discussion.

Mr. Hudda noted the existing system is based on obsolete technology and the new replacement system should be customer-focused and flexible.

Upon inquiry of Board Member Price, Mr. Hudda responded the 24-month procurement period will ensure all agencies are considered as technology is changing and there are different systems and options to consider. Ms. Fernandez added the 24-month period includes industry feedback. She noted the importance of purchasing a system that can be upgraded as technology changes.

5.3.C. **VTA’s BART Silicon Valley Program Update**


Ms. Gonot provided an update on the Gross & Holmes building purchased by VTA to facilitate the construction of the BART extension into downtown San Jose. Based on the inspector’s report and market analysis staff believes the most beneficial approach for VTA and the community is to renovate the structure to preserve its integrity and provide leasable space on the first floor. VTA may use the space as a project field office for the BART extension. Renovation would position VTA for future development after completion of the BART extension project.
Board Member Chavez expressed concern about another vacant building in this area of downtown San Jose.

Mr. Lawson commented that the San Jose Downtown Association is very supportive and has offered assistance to help VTA lease the building. He stated the building will not be rented out as non-profit.

Board Member Yeager queried if VTA has had conversations with the owner about purchasing the adjacent building for future development.

Ms. Fernandez noted VTA has demonstrated a need and has acquired the Gross & Holmes property with federally funded dollars for the scope of the BART Extension Project. She stated if there are development opportunities later that would be a discussion with a future developer.

5.3.D. Metropolitan Transportation Commission (MTC) and California Transportation Commission (CTC) updates

Scott Haywood, Policy & Community Relations Manager, noted that the California Transportation Commission (CTC) will be holding their August meeting in San Jose, and it is anticipated the Commission will allocate the remaining state funding for VTA’s BART Silicon Valley extension. Mr. Haywood stated the meeting would take place on August 20 and 21, 2014, and invited everyone to mark the date on their calendars.

Board Member Khamis praised the VTA Transloc App and requested VTA provide the information so he may advertise Transloc in his newsletter.

Board Member Chavez requested links to items that are received on the day of the meeting, such as “The Dashboard” and the Women’s’ History Month video, so these items may also be put on websites.

Ms. Fernandez indicated VTA would provide the information.

Public Comment

Roland Lebrun, Interested Citizen, noted 1) Transloc does not show arrival time for busses, nor does it differentiate between regular and express trains; 2) requested VTA to consider holding the southbound Santa Teresa train at Civic Center until the northbound Winchester arrives so passengers can transfer; and 3) requested VTA institute free transfers for the Clipper.

Mr. Ludwig queried if interagency transfer discounts will continue to be user-friendly once VTA switches over to the Clipper Card 2.0.

Eugene Bradley, Interested Citizen, noted on May 2, 2014, BART will be in the City of Milpitas to showcase the new railcar designs that will be used in the SVRT.
5.4. **Chairperson’s Report**

Chairperson Kalra gave a brief report, highlighting the following: 1) he and the General Manager attended Silicon Valley Leadership Group’s Annual Spring DC trip; 2) March 26, 2014, Levi’s Stadium Program Committee Meeting highlights; and 3) the 25 years of Light Rail service celebration will be held on April 11, 2014 starting at the Diridon Station.

6. **CONSENT AGENDA**

6.1. **Board of Directors Regular Meeting Minutes of March 6, 2014**

M/S/C (Woodward/Pirzynski) to approve the Board of Directors Regular Meeting Minutes of March 6, 2014.

6.2. **BPAC Appointment: Saratoga**

M/S/C (Woodward/Pirzynski) to ratify the appointment of Jim Stallman to the Bicycle & Pedestrian Advisory Committee representing the City of Saratoga for the remainder of the two-year term ending June 30, 2014, and for the ensuing term ending June 30, 2016.

6.3. **Altamont Corridor Express (ACE) Fare Increase**

M/S/C (Woodward/Pirzynski) to approve proposed changes to the Altamont Corridor Express fares to implement a 4.75% fare increase effective October 1, 2104 subject to San Joaquin Regional Rail Commission Board review and approval.

6.4. **General Electric Transportation Systems Global Signaling Parts Contract**

M/S/C (Woodward/Pirzynski) to authorize the General Manager to execute a five-year contract with General Electric Transportation Systems Global Signaling LLC in the amount of $616,440 to procure various parts for VTA’s light rail signal system.

6.5. **Light Rail Facilities Structure Repair Contract**

M/S/C (Woodward/Pirzynski) to authorize the General Manager to execute a contract with George Bianchi Construction Inc., the lowest responsible bidder, in an amount of $753,774 for the construction activities supporting the Light Rail Facilities Structure Repair Project.

6.6. **Xerox Corporation CAD/AVL Contract Extension**

M/S/C (Woodward/Pirzynski) to authorize the General Manager to amend the contract with Xerox Transport Solution Inc. for an amount of $225,000 and extend the term three (3) years. The total contract value of the contract shall not exceed $653,728.
6.7. **Ricoh Lease, Service and Support Contract Extension**

M/S/C (Woodward/Pirzynski) to authorize the General Manager to execute a contract amendment with Ricoh Business Solutions for $438,152 to cover leased equipment, perform Managed Print Services, and exercise the 2 year extension, from 5 years to 7 years, to February 2018. The total cost of the seven year contract would be $2,075,152.

6.8. **Silicon Valley Rapid Transit Program: Landscape Maintenance Services for Mitigation Sites Along Upper Penitencia Creek in San Jose Contract**

M/S/C (Woodward/Pirzynski) to authorize the General Manager to execute a contract with Ecological Concern, Inc. for landscape maintenance and habitat restoration at two sites along Upper Penitencia Creek in San Jose. The contract will be for a period of three years with the option to extend up to an additional six years. The total amount of the contract shall not exceed $978,000 for the nine year period.

6.9. **Policy for Placement of Wireless Telecommunication Facilities on VTA Real Estate Assets**

M/S/C (Woodward/Pirzynski) to adopt the proposed VTA policy for placement of wireless telecommunication facilities on VTA real estate assets.

6.10. **2014 TFCA Program Manager Fund**

M/S/C (Woodward/Pirzynski) to approve the programming of FY 2014/15 Transportation Fund for Clean Air Program Manager (TFCA 40%) funds to projects.

6.11. **Transit Performance Initiative (TPI) – Investment Grant Program**

M/S/C (Woodward/Pirzynski) to adopt Resolution No. 2014.04.05 authorizing the General Manager to file and execute grant applications and agreements with the Metropolitan Transportation Commission (MTC) for funding from the Transit Performance Initiative (TPI) - Investment Program.

6.12. **Legislative Update Matrix**

M/S/C (Woodward/Pirzynski) to review the Legislative Update Matrix.


M/S/C (Woodward/Pirzynski) to receive the Monthly Investment Report.


M/S/C (Woodward/Pirzynski) to receive a Progress Report on the Transportation Impact Analysis (TIA) Guidelines Update.
6.15. **Pedestrian Access to Transit Plan - Update**

*M/S/C (Woodward/Pirzynski)* to receive a report on the Pedestrian Access to Transit Plan.

6.16. **Capitol Expressway Pedestrian Improvements**

*M/S/C (Woodward/Pirzynski)* to receive a report on the Capitol Expressway Pedestrian Improvements Project.


6.18. **Stevens Creek BRT Project – Planning Update & Environmental Process**

*M/S/C (Woodward/Pirzynski)* to receive a report on the Stevens Creek BRT Project - Planning Update & Environmental Process.

6.19. **Transit Service Changes – April 2014**

*M/S/C (Woodward/Pirzynski)* to receive a report on the April 2014 Transit Service Changes.

7.3.X **Amicus curiae brief in support of the Department of Water Resources’ Petition for Review**

*M/S/C (Woodward/Pirzynski)* to authorize the General Counsel to participate, on behalf of VTA, as an amicus curiae in support of the Department of Water Resources’ Petition for Review, and any subsequent briefs, filed with the California Supreme Court in the case of Property Reserve, Inc. v. Superior Court.

### 7. **REGULAR AGENDA**

7.1. **Naming Rights Policy**

Bijal Patel, Deputy Director, Property Development & Management, provided a presentation entitled “VTA Naming Rights Policy,” highlighting: 1) Station Naming Rights Examples; 2) Pennsylvania’s SEPTA AT&T Station; 3) Line Naming Rights Examples; 4) Tampa’s TECO Streetcar System; 5) Key Provisions of Naming Rights Policy; and 6) VTA Assets Covered.

Board Member Khamis queried where the revenue funds would go and suggested using some of the funds to reduce fares to further entice ridership.

Ms. Patel noted the policy is meant to be consistent with the overall Joint Development Policy that the Board adopted in 2009. Any revenue generated would go into that fund and be subject to Board consideration and approval once the Board determines there is a need to utilize the funds.
Board Member Esteves queried if there is a pricing policy in place to avoid arbitrary pricing.

Ms. Patel indicated there are two different valuation metrics used in determining the market value of a particular asset: 1) we can do a competitive solicitation; and 2) hire valuation consultants to do an analysis and provide an appraisal of the asset.

Board Member Chavez inquired as to when the Joint Development Policy would be upgraded.

Ms. Patel noted VTA’s intention is to bring the policy re-evaluation before the Board in the Fall of 2014. VTA will also provide an overview of what has been completed since 2009 as well as next steps.

Board Member Chavez expressed concern that VTA does not take advantage of marketing opportunities, and requested the Joint Development Policy update also include a series of recommendations on how VTA can include an option that will allow Naming Rights revenues to be used for marketing purposes.

Chairperson Kalra suggested that all Naming Rights negotiations be presented to the Board for approval regardless if the amount does not reach the $100,000 three year threshold.

Board Member Rocha requested staff not consider Naming Rights for the Express Lanes during the pilot.

**Public Comment**

Mr. Ludwig suggested that Naming Rights revenues be used to increase service.

**Result:** ADOPTED [UNANIMOUS]

**Mover:** Gail Price, Board Member

**Second:** Joe Pirzynski, Board Member

**Ayes:** Campos, Chavez, Esteves, Kalra, Khamis, Pirzynski, Price, Rocha, Whittum, Woodward, Yeager

**Absent:** Rose Herrera

**M/S/C (Price/Pirzynski)** to adopt the proposed VTA naming rights policy, which sets forth the VTA policy for evaluating and processing naming rights agreements for VTA real estate assets such as transit centers, stations, and park and ride lots, as well as for VTA transit assets such as transit shelters, bus lines, and light rail lines. Non-substantive or legally-compelled modifications to this policy may be made under the General Manager’s authority.

**7.2. Grand Boulevard Initiative Economic & Housing Opportunity (ECHO) Assessment Phase II**

Ying Smith, Transportation Planning Manager, provided a presentation entitled “Removing Barriers to Implementation: ECHO II Final Report,” highlighting:

Public Comment

Mr. Ludwig expressed support for the Grand Boulevard Initiative and commented that proximity to transit and crossing routes should also be considered.

Mr. Lebrun stated the importance of involving the developers early in the conceptual stage of the process which allows them to construct and develop the transportation network adjacent to the development.

7.3. **LRT Efficiency Project – Mountain View Double Track and Caltrain Realignment**

John Ristow, Chief Congestion Management Agency Officer, provided a brief overview of the staff report. Mr. Ristow indicated staff is recommending acceleration of the project for the following reasons: 1) the BART project is accelerated one year; 2) 2015 Levi’s Stadium events; 3) upcoming Super Bowl 2016, and 4) Caltrain coordination.

Public Comment

Mr. Ludwig noted support for the project. He also noted the urgency.

Omar Chatty, Interested Citizen, asked VTA to consider how this project will affect motorists.

Board Member Price queried if VTA has the capability of meeting this cycle of the Transportation Investment Generating Economic Recovery (TIGER) Discretionary Grant.

Mr. Ristow indicated VTA will try to match up Phase I of the project with the Metropolitan Transportation Commission (MTC) Transit Performance Initiative Grant program, and match up Phase II of the project with the TIGER Grant.

**On order of Chairperson Kalra** and there being no objection, the Board reviewed and discussed the Light Rail Efficiency Project – Mountain View Double Track and Caltrain Realignment.
7.3.X (Removed from the Regular Agenda and placed on the Consent Agenda.)

Authorize the General Counsel to participate, on behalf of VTA, as an amicus curiae in support of the Department of Water Resources’ Petition for Review, and any subsequent briefs, filed with the California Supreme Court in the case of Property Reserve, Inc. v. Superior Court.

8. OTHER ITEMS

8.1. ITEMS OF CONCERN AND REFERRAL TO ADMINISTRATION

There were no Items of Concern and Referral to Administration.

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

8.2.A. VTA Standing Committees

- Silicon Valley Rapid Transit (SVRT) Program Committee – There was no report.
- Congestion Management Program and Planning (CMPP) Committee – There was no report.
- Administration and Finance Committee (A&F) – There was no report.
- Transit Planning and Operations Committee (TP&O) – There was no report.
- Audit Committee – There was no report.

8.2.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) – There was no report.
- Bicycle & Pedestrian Advisory Committee (BPAC) – March 12, 2014, Minutes were accepted as contained in the Agenda Packet.
- Technical Advisory Committee (TAC) – March 13, 2014, Minutes were accepted as contained on the dais.
- Policy Advisory Committee (PAC) – March 13, 2014, Minutes were accepted as contained on the dais.

8.2.C. VTA Policy Advisory Boards (PAB)

- Diridon Station Joint Policy Advisory Board – There was no report.
- Downtown East Valley PAB – March 6, 2014, Minutes were accepted as contained in the Agenda Packet.
- El Camino Real Rapid Transit PAB – There was no report.
- Levi’s Stadium Transit Program Committee – There was no report.

8.2.D. Joint Powers Boards and Regional Commissions

- Peninsula Corridor JPB – April 3, 2014, Summary Notes were accepted as contained on the dais.
8.3. ANNOUNCEMENTS

There were no Announcements.

9. CLOSED SESSION

9.1. Recessed to Closed Session at 7:26 p.m.

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

   Name of Case: Santa Clara Valley Transportation Authority v. Fernandez, et al. (Santa Clara County Superior Court Case No.: 1-12-CV-237433)

B. Conference with Legal Counsel - Anticipated Litigation
   [Government Code Section 54956.9(c)]

   Initiation of litigation pursuant to subdivision (c) of Government Code Section 54956.9

   Number of potential cases: 1

C. (Removed from the Agenda)

   Conference with Labor Negotiators
   [Government Code Section 54957.6]

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

   Employee Organizations
   Amalgamated Transit Union, Local 265

9.2. Reconvened to Open Session at 7:38 p.m.

9.3. Closed Session Report

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

   Name of Case: Santa Clara Valley Transportation Authority v. Fernandez, et al. (Santa Clara County Superior Court Case No.: 1-12-CV-237433)
Robert Fabela, General Counsel, reported that no reportable action was taken during Closed Session.

B. Conference with Legal Counsel - Anticipated Litigation

[Government Code Section 54956.9(c)]

Initiation of litigation pursuant to subdivision (c) of Government Code Section 54956.9

Number of potential cases: 1

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

10. ADJOURNMENT

On order of Chairperson Kalra and there being no objection, the meeting was adjourned at 7:39 p.m. in memory of Traci Bauer, VTA Fare Inspector.

Respectfully submitted,

Anita McGraw, Board Assistant
VTA Office of the Board Secretary