Robert Fabela, General Counsel, announced that the Santa Clara Valley Transportation Authority (VTA) Board of Directors will enter into closed session at 9:10 a.m. to discuss public employment. The closed session was held at the 10th Floor Conference Room, County Government Center, 70 West Hedding Street, San José, California.

1. CALL TO ORDER AND ROLL CALL

The Board of Directors Workshop Meeting for the Santa Clara Valley Transportation Authority (VTA) Board of Directors was called to order by Chairperson Pirzynski at 10:17 a.m. in the Board of Supervisors’ Chambers, County Government Center, 70 West Hedding Street, San José, California.

<table>
<thead>
<tr>
<th>Attendee Name</th>
<th>Title</th>
<th>Status</th>
</tr>
</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>NA</td>
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<tr>
<td>Cindy Chavez</td>
<td>Board Member</td>
<td>Present</td>
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<tr>
<td>David Cortese</td>
<td>Alternate Board Member</td>
<td>NA</td>
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<tr>
<td>Jose Esteves</td>
<td>Board Member</td>
<td>Present</td>
</tr>
<tr>
<td>Rose Herrera</td>
<td>Board Member</td>
<td>Present</td>
</tr>
<tr>
<td>Ash Kalra</td>
<td>Vice Chairperson</td>
<td>Present</td>
</tr>
<tr>
<td>Johnny Khamis</td>
<td>Alternate Board Member</td>
<td>NA</td>
</tr>
<tr>
<td>Sam Liccardo</td>
<td>Board Member</td>
<td>Present</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>NA</td>
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<tr>
<td>Joe Pirzynski</td>
<td>Chairperson</td>
<td>Present</td>
</tr>
<tr>
<td>Gail A. Price</td>
<td>Alternate Board Member</td>
<td>NA</td>
</tr>
<tr>
<td>Donald Rocha</td>
<td>Board Member</td>
<td>Present</td>
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<tr>
<td>David Whittum</td>
<td>Alternate Board Member</td>
<td>NA</td>
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<tr>
<td>Perry Woodward</td>
<td>Board Member</td>
<td>Present</td>
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<tr>
<td>Ken Yeager</td>
<td>Board Member</td>
<td>Present</td>
</tr>
</tbody>
</table>

2. CLOSED SESSION REPORT

Chairperson Pirzynski stated there was no reportable action taken during Closed Session.
3. PUBLIC COMMENT

There was no Public Comment.

4. WORKSHOP ITEMS

4.1. Title VI - Update

Robert R. Fabela, General Counsel, and Sylvester Fadal, Human Resources Manager, provided a brief overview on the presentation entitled, “Title VI Program,” highlighting: 1) Presentation Overview; 2) What is Title VI; 3) Title VI Applicability to VTA; 4) Why is Title VI Important; 5) Federal Transit Authority (FTA) Title VI Monitoring; 6) FTA Title VI Circular: New Primary Requirements; 7) Title VI Service and Fare Equity Analysis; 8) FTA Title VI Circular: Service Standards and Policies; 9) Board of Directors Actions; and 10) Proposed Title VI Schedule.

Mr. Fabela reported that Title VI prohibits the discrimination on the basis of color, race, and national origin, as well as prohibit the adverse impacts of changes to fares or services to be predominately borne by low income or minority individuals. If an organization is determined to be non-compliant with Title VI, federal funding may be conditioned or withheld.

Mr. Fadal reported on the Federal Transportation Administration (FTA) Title VI Circular New Primary requirements and proposed Title VI schedule, noting the following four policies will be forwarded to VTA’s Board of Directors for consideration: 1) Major Service Change Policy; 2) Disparate Impact Policy; 3) Disproportionate Burden Policy; and 4) System-wide Service Standards and Policies.

Board Member Chavez requested the following: 1) provide the Board Members with the outreach group lists; and 2) provide the Board Members information about equity analysis conducted in the past.

Board Member Campos noted the following: 1) queried if alternative transportation modes are identified when service reductions were implemented; and 2) stressed the importance of having further discussions regarding service reductions/elimination, which have adverse impacts the community. Michael T. Burns, General Manager, responded discussions should be agendized at the standing committees then forwarded to the Board of Directors for consideration.

Board Member Herrera asked how Title VI impacts capital projects and queried about the threshold of the capital project. Board Member Herrera expressed concern and noted the importance to address the areas where minorities are impacted.

On order of Chairperson Pirzynski and there being no objection, the Board of Directors received the Title VI - Update.
4.2. **Silicon Valley Rapid Transit (SVRT) Program Update – Board Workshop**

Carolyn M. Gonot, Chief SVRT Program Officer, provided a brief overview on the presentation entitled, “BART Silicon Valley Update,” highlighting: 1) BART Silicon Valley Summary; 2) BART Silicon Valley Program; 3) BART Silicon Valley Budget/Status; 4) Residential Noise Insulation Program – Contract Status and Project Schedule; 5) Key Activities; 6) BART Silicon Valley Santa Clara Extension (SVSX) Update; and 7) Major SVSX Activities.

Board Member Liccardo arrived at the meeting and took his seat at 10:58 a.m.

Mark Massman, SVBX Project Director, continued with the presentation update, highlighting: 1) BART Silicon Valley Berryessa Extension (SVBX) Update; 2) SVBX Schedule; 3) Construction Plan Update – Berryessa, San Jose, and Milpitas sites; 4) Subcontractor Status: Current Commitments and to be procured; and 5) project budget.

George Hannibal, Skanska US Civil West Regional Compliance Officer, discussed the project’s Disadvantaged Business Entity (DBE) Subcontractors.

Tom Fitzwater, Transportation Planning Manager, reported on the project’s Archeological and Biological updates.

Bernice Alaniz, BART Silicon Valley Communications Director reviewed the BART Silicon Valley Outreach and noted that the BART Silicon Valley project videos and information is available on Facebook at [www.facebook.com/pages/San-Jose-CA/SCVTA](http://www.facebook.com/pages/San-Jose-CA/SCVTA) and Twitter at [www.twitter.com/VTA](http://www.twitter.com/VTA).

Dennis Ratcliffe, Deputy Director SVRT Program, continued with the presentation, highlighting: Other Projects and 15) BART Coordination.

Ms. Gonot continued with the presentation update, highlighting:

- Board Members Herrera and Woodward left the meeting at 11:32 a.m.
- Board Member Esteves expressed concern and queried about the residential noise issues related with the Terrace Garden housing project. Ms. Gonot responded that staff would look into the matter.
- Board Member Chavez noted the following: 1) queried about the Disadvantage Business Entity (DBE) outreach program and partnerships and requested staff provide the Board Members with the information; 2) stressed the importance for an update on worker safety and requested staff provides the safety reports to the Board Members.
- Mr. Massman stated that all employees complete five training presentations and courses related to safety, equipment, and material handling. He stated the contractor has allocated three full-time safety officers in the field as well as VTA has three full-time safety staff working in the field.
Board Member Chavez queried about the construction noise levels and if different standards apply between residential and businesses. Ms. Alaniz responded that the Noise Insulation Program applies only to residential not businesses.

**On order of Chairperson Pirzynski** and there being no objection, the Board of Directors received the Silicon Valley Rapid Transit (SVRT) Program Update.

### 4.3. Silicon Valley Express Lanes

John Ristow, Chief CMA Officer, and Joseph Smith, Chief Financial Officer, provided a brief overview on the presentation entitled, “Silicon Valley Express Lanes Program,” highlighting:

1) Background on Silicon Valley Express Lanes;
2) Funding;
3) Approval and Implementation Actions;
4) Increased Traffic Congestion in the Bay Area;
5) Congestion Levels in Silicon Valley;
6) Silicon Valley 2040 Forecasts;
7) Exiting Challenges;
8) Why Express Lanes;
9) A Core Element of Long Term Countywide Plan;
10) Potential Finance and Delivery Options;
11) Funding Approach;
12) Design/Development Funding;
13) Construction Funding;
14) Different Funding Approaches;
15) Sales Tax Bonds vs. Express lanes Finance;
16) Preliminary Financing Analysis (101) and (SR 85);
17) Proposed Funding Plan for Design/Development;
18) Estimated STIP & measure A Allocations;
19) Proposed Project Delivery Approach; and
20) What is the timeline.

Board Member Kalra left the meeting at 11:52 a.m.

Mr. Ristow continued with the presentation, noting the following actions will be forwarded for consideration to the November 7, 2013 Board of Directors Regular meeting:

1) approval of State Transportation Improvement Program (STIP) programming for Fiscal Year 2014 combined with the Measure A fund exchange of STIP funds for the Express Lanes Program to undertake design/development;
2) approval of existing Local Program Reserve funds for Express Lanes Program design/development effort; and
3) recommended phasing of the Express Lanes segment in Spring 2014.

Board Member Esteves expressed concern and queried about the issues related to Milpitas State Route (SR) 237 and Express Lanes double white lines.

Board Member Chavez queried about the risks and opportunities involved and associated to VTA if VTA’s Board of Directors decided to allow VTA to finance the delivery of the Express Lanes Program Projects for SR 237, US 101, and SR 85.

Board Member Esteves left the meeting at 12:04 p.m.

**On order of Chairperson Pirzynski** and there being no objection, the Board of Directors received the report on the Silicon Valley Express Lanes.
5. OTHER ITEMS

5.1. General Manager's Report

Michael T. Burns, General Manager, provided a brief overview report, noted that the Legislature passed a decision that will delay the litigation in court regarding the Public Employee Pension Reform Act (PEPRA) plan for thirteen months. Mr. Burns stated the decision will allow for federal funding to flow to transit agencies, such as VTA.

A. Public Employee Pension Reform Act (PEPRA) Update

Robert R. Fabela, General Counsel, provided a brief overview of the staff report.

Mr. Fabela referenced an eminent domain case regarding the Milpitas BART Station, noting good results and an update will be forwarded to the Board of Directors with additional information.

5.2. ANNOUNCEMENTS

Chairperson Pirzynski announced the next VTA Board of Directors Regular meeting scheduled on Thursday, October 3, 2013 at 5:30 p.m. in the Board of Supervisors’ Chambers, County Government Center.

Chairperson Pirzynski announced the Eastridge Transit Center Groundbreaking event scheduled for Friday, September 27, 2013 at 2:00 p.m. at the Eastridge Transit Center Park and Ride Lot.

6. ADJOURN

On order of Chairperson Pirzynski and there being no objection, the Board of Directors Workshop meeting was adjourned at 12:07 p.m.

Respectfully submitted,

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