BOARD OF DIRECTORS MEETING
Thursday, June 5, 2014
MINUTES

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 Kalra at 5:39 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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<tr>
<th>Attendee Name</th>
<th>Title</th>
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<tr>
<td>Jason Baker</td>
<td>Alternate Board Member</td>
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<td>Xavier Campos</td>
<td>Board Member</td>
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<td>Larry Carr</td>
<td>Alternate Board Member</td>
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<td>Cindy Chavez</td>
<td>Board Member</td>
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<td>Dave Cortese</td>
<td>Alternate Board Member</td>
<td>Absent</td>
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<td>Jose Esteves</td>
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<td>Rose Herrera</td>
<td>Board Member</td>
<td>Absent</td>
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<td>Ash Kalra</td>
<td>Chairperson</td>
<td>Present</td>
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<td>Johnny Khamis</td>
<td>Board Member</td>
<td>Present</td>
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<td>Rich Larsen</td>
<td>Alternate Board Member</td>
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<td>Sam Liccardo</td>
<td>Ex-Officio</td>
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<td>Jamie Matthews</td>
<td>Alternate Board Member</td>
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<td>Joe Pirzynski</td>
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<td>Gail A. Price</td>
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<td>Donald Rocha</td>
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<td>David Whittum</td>
<td>Board Member</td>
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<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>
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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 that the VTA Board of Directors will convene a Special Meeting on June 26, 2014, to discuss a potential transportation ballot measure. He asked that members of the public who wish to address the Board on this topic keep their comments brief. Staff will note questions and address them at the Special Meeting.

Chairperson Kalra reminded the Board of the June 6, 2014, Board of Directors’ Workshop Meeting and encouraged an efficient and timely meeting adjournment.
Chairperson Kalra noted that the Revised Agenda in the Members’ reading folder and on the Public Table reflects the modified agenda language for Agenda Item #9.4., Sideletter Agreement with American Federation of State, County, and Municipal Employees (AFSCME), Local 101.

Chairperson Kalra noted that staff recommended changing the recommendation on Agenda Item #6.14., Support Position for three legislative initiatives. Assembly Bill (AB) 1799 (Gordon) did not move out of the Assembly by the deadline and is no longer under consideration by the legislature. Staff continued to recommend a support position on AB 2707 and SB 1077. With the elimination of AB 1799, staff recommended leaving the item on the Consent Agenda.

Chairperson Kalra noted that staff requested the following item be removed from the Agenda: Agenda Item # 4.1., SVBX Resolution of Necessity. An agreement with the property owner has been reached.

Chairperson Kalra noted that staff requested the following items be removed from the Regular Agenda and placed on the Consent Agenda: Agenda Item #7.1., Non-Revenue Vehicle Procurement, Agenda Item #7.2., Armed/Unarmed Security & Protective Services Contract, and Agenda Item #7.3., Competitive Negotiation – CAD/AVL System Procurement.

Chairperson Kalra indicated several members of the public expressed interest in addressing the Board of Directors regarding several items on the Consent Agenda and noted they would be allowed to provide comment prior to the approval of the Consent Agenda.

Public Comment

The following members of the public expressed concern with Agenda Item #6.18, State Route (SR) 85 Express Lanes Project – Environmental Process Update:

- Cheriel Jensen, Interested Citizen, commented that VTA should honor its contract with the Cities regarding SR 85.

- Mary Robertson, Interested Citizen, made the following comments: 1) suggested that VTA follow through with its 2008 plan that calls for conversion of the existing SR 85 High Occupancy Vehicle (HOV) lane into an Express Lane and no additional lanes would be added; and 2) encouraged finding a more innovative solution to building more roads.

- John Chen, Interested Citizen, made the following suggestions: 1) increase investments in public transportation, bicycle and pedestrian infrastructure, and inter-city rail; 2) revisit and revise highway project plans that were conceived many years ago to apply current traffic projections; and 3) support more mass transportation.
• Barry Chang, Interested Citizen, suggested that the Board not move forward with the SR 85 Express Lane Project and focus on the sales tax ballot measure instead.

• Anjali Kausar, Interested Citizen, made the following comments: 1) expressed concern with the noise level on SR 85; and 2) expressed opposition to adding more lanes on SR 85.

Mr. Chang addressed the Board of Directors regarding Agenda Item #7.2., Competitive Negotiation – CAD/AVL System Procurement, and expressed concern with the optional contract extension amount.

Michael Ludwig, Interested Citizen, referenced Agenda Item #6.4., General Manager Pro Tempore, and commented that the Board of Directors should make the final decision on who should be designated as the General Manager Pro Tempore.

As the Regular Agenda items have been moved to the Consent Agenda under Orders of the Day, Board Member Rocha inquired on the following regarding Agenda Item #7.2., Competitive Negotiation – CAD/AVL System Procurement: 1) the number of full-time and part-time staff employed under the contract; and 2) whether the salary indicated on the Board Memorandum is a cap.

Gregory Cullen, AlliedBarton Security Services LP, responded that there are currently 85 full-time employees and 10 to 12 part-time employees, with a plan to add approximately 12 security officers. He noted that the salary specified is not a cap.

Board Member Esteves noted for the record his opposition on Agenda Item #6.7., Authorize the General Manager to Amend the Contract with H.T. Harvey to Provide Biological Resources Support for VTA Projects, and Agenda Item #6.8., Authorize the General Manager to Amend the Contract with Far Western to Provide Cultural Support for the BART Silicon Valley Berryessa Extension, as both contract amendment amounts are larger than their respective original contract amounts.

M/S/C (Pirzynski/Price) on a vote of 10 ayes, 1 no and 0 abstentions to accept the Orders of the Day, and approve the Consent Agenda, as amended. Board Member Esteves opposed on Agenda Items #6.7 and #6.8.

NOTE: M/S/C MEANS MOTION SECONDED AND CARRIED AND, UNLESS OTHERWISE INDICATED, THE MOTION PASSED UNANIMOUSLY.
RESULT: ADOPTED (Orders of the Day; Consent Agenda Item #: 6.1-6.6; 6.9-19; and Regular Agenda Item #: 7.1-7.3)
MOVER: Joe Pirzynski, Board Member
SECONDER: Gail Price, Board Member
AYES: Campos, Chavez, Esteves, Kalra, Khamis, Pirzynski, Price, Rocha, Whittum, Woodward
NO: None
ABSENT: Herrera, Yeager

RESULT: ADOPTED (Consent Agenda Item #: 6.7-6.8)
MOVER: Joe Pirzynski, Board Member
SECONDER: Gail Price, Board Member
AYES: Campos, Chavez, Kalra, Khamis, Pirzynski, Price, Rocha, Whittum, Woodward
NO: Esteves
ABSENT: Herrera, Yeager

2. AWARDS AND COMMENDATION

2.1 Employees of the Month for June 2014
Chairperson Kalra recognized Warlito “Lito” Sonico, Office Specialist II, River Oaks Administration and Charles “Chuck” Beebe, Transit Mechanic, Cerone Maintenance, as Employees of the Month for June 2014. Javier Salcedo, Coach Operator, Chaboya Division, was unable to attend.

2.2 2014 VTA Youth Partnership Poster Contest winners
Vice Chairperson Woodward provided a brief background of the Youth Partnership Program and recognized the winners of the 2014 VTA Youth Partnership Poster Contest.

2.3 Resolution of Appreciation for retiring VTA Chief Financial Officer, Joseph T. Smith
The Board of Directors thanked Chief Financial Officer Joseph T. Smith for his service and congratulated him on his retirement.
RESULT: ADOPTED [UNANIMOUS]
MOVER: Gail Price, Board Member
SECONDER: Cindy Chavez, Board Member
AYES: Campos, Chavez, Esteves, Kalra, Khamis, Pirzynski, Price, Rocha, Whittum, Woodward
ABSENT: Herrera, Yeager

M/S/C (Price/Chavez) to adopt Resolution No. 2014.06.07 of appreciation for retiring VTA Chief Financial Officer Joseph T. Smith.

3. PUBLIC COMMENT

The following Interested Citizens expressed concern regarding SR 85 noting the following: 1) suggested studying the highway interchanges along SR 85; 2) lack of Environmental Impact Report; 3) opposed construction of additional lanes; 4) suggested to address noise issue; and 5) additional traffic increases air pollution.

- Cheriel Jensen
- William Ford
- Holly Anderson

Board Member Esteves relinquished his seat to Alternate Board Member Matthews and left the meeting at 6:06 p.m.

Rachel Martinez, VTA Assistant Transportation Engineer, noted the Alum Rock Fish Passage project’s recent American Society of Civil Engineers (ASCE) Region 9 Environmental Project Award and extended an invitation to the Board of Directors to visit Alum Rock Park. She also expressed her gratitude to those who contributed to the project’s success.

Mr. Chang recommended that the Board of Directors consider a half-cent sales tax in the potential ballot measure.

Mr. Ludwig queried about Santa Clara County representation on the BART Board of Directors.

Omar Chatty, Interested Citizen, expressed concern on the fatal vehicle accident rate on SR 152 and suggested that SR 152 be built as an expressway.

Franceen Weisert, President of Transportation Authority Engineers and Architects Association (TAEA) and VTA Employee, provided a brief update on the classification and compensation study and requested that non-represented and consultant positions be included in the study as well.

Mike Bulea, Interested Citizen, expressed support for VTA’s efforts in replacing older buses with more fuel-efficient buses.
4. PUBLIC HEARINGS

4.1 (Removed from the Agenda.)

Close Hearing and adopt Resolution of Necessity determining that the public interest and necessity requires the acquisition of property interests from a property owned by Walton CWCA Wrigley Creek 31, LLC, a Delaware limited liability company, also known as CWCA Wrigley Creek 31, LLC, located in Milpitas, California, for the BART Silicon Valley Berryessa Extension (SVBX) Project.

Property ID/Assessor’s Parcel Number/Owner

B2021 (APN 028-23-012) owned by Walton CWCA Wrigley Creek 31, LLC, a Delaware limited liability company, also known as CWCA Wrigley Creek 31, LLC

5. REPORTS


William Hadaya, Chairperson, Citizens Advisory Committee (CAC)/2000 Measure A Citizens Watchdog Committee (CWC), provided a brief report of the May 7, 2014, CWC Public Hearing on Measure A Program expenditures, noting that the CWC is scheduled to consider approval of the Annual Report at its June 11, 2014 meeting. He briefly discussed the CAC’s recommendations for the items on the Board’s agenda.

Upon query of Board Members Rocha and Khamis, Mr. Hadaya elaborated on the Committee’s concerns on SB 1077 (DeSaulnier), including the possible creation of a new entity to administer the Vehicle Miles Traveled (VMT) fee, potential privacy issues, and conflict of interest by having the Department of Motor Vehicles (DMV) conduct the study.

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

Howard Miller, Chairperson, Policy Advisory Committee, provided a brief report of the May 8, 2014, PAC meeting, highlighting the Committee’s recommendations to the Board of Directors regarding: 1) the project priorities for the FY 2014/15 Countywide Transportation Development Act Article 3 Program; 2) list of projects for the FY 2014/15 Transportation Fund for Clean Air Program Manager funds; and 3) using $150,000 from the Vehicle Registration Fee (VRF) 15% Countywide program to establish a Countywide Traffic Collision Database.
5.3. General Manager’s Report

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

- Ridership and Fare Revenue Performance Report for April 2014.

- Clipper Ridership, noting that all Eco Pass users will be transitioned to the new Eco Pass Clipper by 2015.

- Key Performance Indicators, noting that goals were met for Percent of Scheduled Service Operated, Service Recovery, and Miles Between Mechanical Failure for the calendar year-to-date.

- Real Time Information (RTI) usage for light rail for May 2014, noting its popularity with light rail riders and future efforts to collect bus RTI usage statistics.

- Introduced Captain David Lera, Santa Clara County Sheriff’s Department, who reported on Security and Public Safety, highlighting the following: 1) May 2014 statistics for the Sheriff Transit Patrol and citations from the VTA Fare Inspectors; 2) where arrests and incident reports were handled; and 3) presented information on VTA’s security program at the May 7, 2014, Committee for Transit Accessibility Workshop Meeting.

Upon inquiry of Board Member Chavez, Michael Hursh, Chief Operating Officer, responded that there is a monetary fine for fare violation. Fare inspectors maintain a paper list of warnings issued and staff is exploring ways to convert the current list to electronic format.

Board Member Chavez suggested that Captain Lera meet with the two new California Highway Patrol officers responsible for the San Jose area.

- Introduced Bijan Sartipi, Caltrans District 4 Director, who provided a brief overview of the iTear operation and introduced the following Caltrans staff: 1) Nick Saleh, Principal Project Manager; 2) Dina El-Tawansy, Regional Project Manager; 3) Paul Ma, Sr. Transportation Engineer, Highway Operations; and 4) Ephrem Meharena, Sr. Transportation Engineer, Local Assistance.


- Bike to Work Day event on May 8, 2014, noting VTA hosted an Energizer Station at the Milpitas Great Mall and held an inaugural “Bike Train” ride from VTA’s Downtown Customer Service Center to VTA’s River Oaks Headquarters.
• Introduced Greta Helm, Marketing Director, who provided a brief report on VTA marketing initiatives, highlighting: 1) Commuter Benefits Program; 2) Non-Rider Survey; and 3) Welcome Wagon.

Board Member Chavez made the following comments: 1) inquired on VTA budget for communications; 2) inquired on where ridership growth opportunities are; and 3) recommended that communication available in other languages be included in reports provided to the Board of Directors.

5.3.A **VTA's BART Silicon Valley Program Update**

Carolyn Gonot, Director of SVRT Program, provided a brief report and presentation, highlighting: 1) current project activities at the Milpitas Station area; 2) Dixon Landing Road grade-separation construction activities, noting the planned eight-month full closure of Dixon Landing; 3) current project activities in the Berryessa Station area; and 4) SVBX integrated summary schedule and cost summary.

**Public Comment**

Bryan Jones, Public Works Director for the City of Fremont, spoke on behalf of the Mayor of Fremont and expressed his appreciation for VTA efforts to reduce the duration of planned road closure in the Dixon Landing Road area in the City of Milpitas.

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

Scott Haywood, Policy & Community Relations Manager, provided a brief update on the May 28, 2014, MTC meeting, noting the Commission approved amendments to the Regional Measure 2 Program including a transfer of $20 million to the Caltrain Electrification project from the Dumbarton Rail project.

5.3.C. **Status on Potential Ballot Measure**

Chairperson Kalra reiterated that public comments and questions from the Board of Directors will be noted and staff will attempt to provide answers at the June 26, 2014, Board of Directors Special Meeting.

John Ristow, Director of Planning and Program Development, provided background and overview of the initiative, highlighting: 1) previous successful transportation tax measures; 2) statewide sales tax components; 3) current Santa Clara County sales tax components; 4) examples of neighboring county taxes for transportation; 5) VTP 2040 and the process involved with the long-range transportation plan; 6) potential distribution of the types of projects being considered; and 7) next steps leading up to measure placement on ballot.
Board Member Yeager took his seat at 7:08 p.m.

Public Comment

Kirk Adams, Interested Citizen, advocated for allocation of at least 10% of transportation tax proceeds to the improvement of bus service and bicycle accessibility on buses.

Julie Tran, Working Partnerships USA, shared bus-rider concerns and suggested that at least 10% of transportation tax proceeds be used to meet the needs of the socioeconomically disadvantaged through improved bus service.

Charlie Craig, Interested Citizen, urged the Board of Directors to occasionally take public transportation.

Bob Brownstein, Interested Citizen, advocated for allocation of 10% to 20% of transportation tax proceeds to the improvement of bus system operations and strongly recommended that VTA staff meet with stakeholders and transit advocates to assess community needs.

Pancho Guevara, Sacred Heart Community Service, advocated for an affordable, accessible, and reliable transportation system for the socioeconomically disadvantaged.

Wendy Ho, United Way Silicon Valley, urged the Board of Directors to be mindful of the needs of the low income community.

Marjorie Hart, People Acting in Community Together (PACT)/Transportation Justice Alliance, advocated for allocation of 10% of transportation tax proceeds to an equitable transportation system and the improvement of bus service.

Adina Levin, Friends of Caltrain/Peninsula Transportation Alternatives, expressed support for VTA’s BART Silicon Valley Extension to downtown San Jose and advocated for Caltrain improvements and a robust rail and bus service.

Bob Miri, Working Partnerships USA, advocated for bus riders and improved bus service.

Omar Chatty, Interested Citizen, advocated for conversion of SR 152 to an expressway and BART around the Bay Area.

Tom Fink, Amalgamated Transit Union (ATU), Local 265, spoke on behalf of himself and Sheillena Brunston, VTA Bus Operator, advocated for allocation of at least 10% of transportation tax proceeds to the improvement of bus service and connections to Caltrain/BART.
Eugene Bradley, Silicon Valley Transit Users, advocated for allocation of at least 20% of transportation tax proceeds to the improvement of bus service.

Mr. Ludwig advocated for dedicated funds to bus service, bus fleet expansion, and Caltrain.

Mr. Chang advocated for a half-cent sales tax increase and urged the Board of Directors to consider projects that will benefit the West Valley Cities.

Mr. Chen advocated for a half-cent sales tax increase and expansion of mass transportation network.

Ms. Anderson expressed opposition to ballot measure funds for toll lanes on SR 85.

Ms. Fernandez introduced Carl Guardino, President and CEO, Silicon Valley Leadership Group (SVLG).

Mr. Guardino made introductory remarks, noting that questions from the Board will be noted and addressed at the June 26th Board of Directors Special Meeting.

Board Member Price asked the following questions:
1) How does the proposed allocation for bicycle/pedestrian and bus service elements compare to recent transportation measure in other Counties?
2) What provisions are being made if specific allocation of funds to Caltrain involves system-wide improvements, such as the purchase of new vehicles, and are there ways to ensure that such improvements will be contingent upon matching funds from partner agencies?
3) What provisions will be made for the potential need to reallocate funds if projects significantly change over time and how would that be done?
4) How have other Counties allocated tax measure funds to bus service improvements?

Chairperson Kalra requested that staff provide a breakdown of how other Counties are allocating funds to different projects.

Board Member Chavez made the following comments/queries:
1) Establish a better process that ensures the Board is engaged at an earlier level.
2) What is the financial history of VTA’s partnership with Caltrain, specifically, what has VTA contributed relative to the partner organizations (San Mateo and San Francisco) for operations and capital investments, including transit tax contributions since 2001, and leveraged state and federal dollars as a result of contributions?
3) How does each project being considered contribute to traffic relief?
4) How will the transit tax respond to the operation needs of VTA?
5) How does the transit tax contribute to building and maintaining an equitable approach to transportation services in Santa Clara County, addressing the needs of transit-dependent communities, seniors, and low income residents?
6) How does the amount of the tax proposed position cities to address non-transit needs within their respective jurisdictions and how much money local jurisdictions would be able to raise in sales tax for their own operations?
7) What does each transit tax investment yield in additional capacity for ridership?
8) How does the transit tax impact the financial health of VTA to operate and support the transit system?
9) How much flexibility can be built in the proposed tax measure that will provide VTA the opportunity to respond to emerging transportation needs for all modes of transit?
10) Could VTA conduct a separate poll to assess the viability of new ideas that are raised in the public process?

Board Member Campos made the following comments: 1) expressed concern regarding the diminishing capacity and/or ability to provide bus service; 2) requested more information regarding Bus Rapid Transit (BRT) connectivity and how to maximize BRT service efficiency; and 3) consider adding infrastructure improvements in the tax measure, such as pavement maintenance or bridge repairs.

Board Member Rocha made the following comments: 1) expressed concern with the process and timing for Board input; 2) requested that VTA provide the scope and up-to-date cost estimates of projects in the proposed tax measure; 3) noted importance of providing better bus service; and 4) noted VTA should engage with stakeholders earlier in the process.

Board Member Khamis made the following queries/comments: 1) has sales tax from previous measure been readjusted to current economic standing; 2) Caltrain electrification will not necessarily solve capacity issue, instead consider adding more trains, extending service, and modifying platforms/stations and other infrastructure improvements; and 3) analyze why there is a decrease in bus ridership despite an increase in population to maximize investments in bus improvements.

Board Member Yeager made the following queries/comments: 1) inquired about next steps; 2) expressed concern on the short period of time for the Board to reach consensus and gather overall voter support on a list of projects to be included in the proposed tax measure; 3) inquired whether the process involves VTA Committees; and 4) inquired whether the proposed tax measure will require one or two readings.
Ms. Fernandez noted that the list of projects to be considered for the proposed ballot measure will be derived from the Valley Transportation Plan (VTP) 2040. Additional bus service is also being considered.

Upon query of Board Member Chavez, Mr. Guardino explained SVLG’s outreach process concerning the proposed transportation tax measure.

Chairperson Kalra made the following comments:
1) Requested that staff forward the VTP 2040 project list to the Board in advance of the June 26th Board of Directors Special Meeting.
2) Requested that staff provide information regarding existing funding sources and cost projections for the Caltrain Electrification Project and VTA’s BART Extension to Silicon Valley.
3) Emphasized that the potential transit tax is not specifically for BART, but BART is one of the projects being considered.
4) Evaluate what bus service enhancement really means and which lines would most benefit.
5) Non transit-rider survey can provide better understanding of how VTA can increase overall ridership.

5.4. **Chairperson’s Report**

Chairperson Kalra provided a brief report, noting the June 6, 2014, Board of Directors’ Workshop Meeting.

5.4.A. **Levi’s Stadium Program Committee Update**

Chairperson Kalra provided a brief report from the May 28, 2014, Levi’s Stadium Transit Program Committee Meeting, highlighting: 1) Marketing and Wayfinding Plan; 2) planned dry run on June 29, 2014; 3) Game Day Communications Plan; 4) VTA staff attendance at the SVLG Superbowl 50 coordination meeting; 5) Mobile Ticketing update, noting that a vendor has been chosen and testing will begin mid-June; and 6) addressing operating cost shortfall.

6. **CONSENT AGENDA**

6.1. **Board of Directors Regular Meeting Minutes of May 1, 2014**

M/S/C (Pirzynski/Price) to approve the Board of Directors Regular Meeting Minutes of May 1, 2014.


M/S/C (Pirzynski/Price) to authorize the General Manager to utilize pre-negotiated CalNet3 and CalCloud contracts and pricing for the procurement of voice, data, video telecommunication and cloud computing services. The total cost of the five year contracts would not exceed $3,800,000.
6.3. **Fiscal Year 2014 Quarterly Statement of Revenues and Expenses for the Period Ending March 31, 2014**

M/S/C (Pirzynski/Price) to review and accept the Fiscal Year 2014 Quarterly Statement of Revenues and Expenses for the period ending March 31, 2014.

6.4. **General Manager Pro Tempore**

M/S/C (Pirzynski/Price) to adopt Resolution No. 2014.06.08 allowing the General Manager to designate any officer or executive level employee as a General Manager Pro Tempore during his or her absence and, whenever the General Manager is incapacitated or incapable of designating a General Manager Pro Tempore, establishing a list of officers from whom the Board may designate as a General Manager Pro Tempore.

6.5. **Bus Stop Pavement Improvements FY13 Contract**

M/S/C (Pirzynski/Price) to authorize the General Manager to execute a contract with J.J.R. Construction, Inc., the lowest responsible bidder, in an amount of $266,999.80 for the construction of the Bus Stop Pavement Improvements FY13.

6.6. **Closed Circuit Television at Various Locations**

M/S/C (Pirzynski/Price) to authorize the General Manager to execute a contract with Calcoast Telecom, the lowest responsible bidder, in an amount of $1,099,858 for the installation of Closed Circuit Television (CCTV) at various locations.

6.7. **Contract Amendment with H.T. Harvey to Provide Biological Resources Support for VTA Projects**

M/S/C (Pirzynski/Price) on a vote of 10 ayes, 1 no and 0 abstentions to authorize the General Manager to execute a contract amendment of $329,427 with H. T. Harvey & Associates to provide on-call biological resources support. With this amendment, the total value of the contract will be $600,000. Board Member Esteves opposed.

6.8. **Contract Amendment with Far Western to Provide Cultural Support for the BART Silicon Valley Berryessa Extension**

M/S/C (Pirzynski/Price) on a vote of 10 ayes, 1 no and 0 abstentions to authorize the General Manager to execute a contract amendment of $675,000 with Far Western Anthropological Research Group, Inc. to provide cultural resources support for VTA’s BART Silicon Valley Extension. With this amendment, the total value of the contract will be $975,000. Board Member Esteves opposed.

6.9. **Safe Routes to Transit Grant - Pedestrian Access to Transit Plan**

M/S/C (Pirzynski/Price) to adopt Resolution No. 2014.06.09 authorizing the General Manager to accept $100,000 in Safe Routes to Transit (SR2T) funds from
Regional Measure 2 to apply toward the cost of developing a Countywide Pedestrian Access to Transit Plan.

6.10. **FY2014/15 TDA3 Project Priorities**

M/S/C (Pirzynski/Price) to adopt Resolution No. 2014.06.10 approving the project priorities for the FY2014/15 Countywide Transportation Development Act (TDA) Article 3 Program.

6.11. **2014 TFCA Program Manager Fund Supplemental Projects**

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


M/S/C (Pirzynski/Price) pursuant to California Government Code Section 65089, to adopt the 2013 Monitoring and Conformance Findings. The 2013 CMP Monitoring and Conformance Report finds all Member Agencies in conformance with the CMP monitoring requirements.

6.13. **Crossroads Countywide Traffic Collision Database**

M/S/C (Pirzynski/Price) to authorize the use of $150,000 from the Vehicle Registration Fee (VRF) 15% Countywide program for Crossroads software maintenance to establish a Countywide Traffic Collision Database to be maintained by the County of Santa Clara Roads and Airports Department (County) staff as part of a three-year pilot program.

6.14. **Bill Positions**

M/S/C (Pirzynski/Price) to adopt, as amended, a support position for AB 2707 (Chau), which allows for the use of three-position bike racks on public transit buses of not more than 40 feet in length, and adopt a support position for SB 1077 (DeSaulnier), which requires the California State Transportation Agency to assess various issues related to implementing a mileage-based fee (MBF) in California. The Board of Directors did not adopt a position on AB 1799 (Gordon) as it did not move out of the Assembly by the deadline and is no longer under consideration by the legislature.

6.15. **Legislative Update Matrix**

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

6.16. **Bicycle Expenditure Program - Semi-Annual Status Report**

M/S/C (Pirzynski/Price) to receive a status report on the Semi-Annual Update of Bicycle Expenditure Program (BEP) projects.

M/S/C (Pirzynski/Price) to receive the Proactive CMP Quarterly Report for January to March 2014.

6.18. **SR 85 Express Lanes Project – Environmental Process Update**

M/S/C (Pirzynski/Price) to receive an update on the SR 85 Express Lanes Project Environmental Documentation Process.


M/S/C (Pirzynski/Price) to receive a report on the July 2014 Transit Service Changes.

7.1. **Non-Revenue Vehicle Procurement**

M/S/C (Pirzynski/Price) to authorize the General Manager to procure up to forty-five (45) Non-Revenue Vehicles, pending vehicle availability and contract pricing, in an amount up to $1,131,541 using the State of California purchasing contract.

7.2. **Armed/Unarmed Security & Protective Services Contract**

M/S/C (Pirzynski/Price) to authorize the General Manager to execute a contract with Allied Barton Security Services LP (AlliedBarton LP) to provide armed and unarmed security for all VTA facilities, selected transit centers, light rail platforms, and bus and light rail vehicles. The term of the contract is five years in an amount up to $27,395,000 with two one-year options in an amount up to $12,337,000 for a total contract value not to exceed $39,732,000.

7.3. **Competitive Negotiation - CAD/AVL System Procurement**

M/S/C (Pirzynski/Price) to adopt Resolution No. 2014.06.11 upon a two-thirds vote of the Board of Directors finding that a competitive sealed bid process does not constitute a method procurement adequate for VTA’s needs and directing the use of competitive negotiation for the purchase of a Computer Aided Dispatching and Automatic Vehicle Location (CAD/AVL) system, as required by Public Contract Code Section 20306.

7. **REGULAR AGENDA**

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

Authorize the General Manager to procure up to forty-five (45) Non-Revenue Vehicles, pending vehicle availability and contract pricing, in an amount up to $1,131,541 using the State of California purchasing contract.
7.2. (Removed from the Regular Agenda and placed on the Consent Agenda.)

Authorize the General Manager to execute a contract with Allied Barton Security Services LP (AlliedBarton LP) to provide armed and unarmed security for all VTA facilities, selected transit centers, light rail platforms, and bus and light rail vehicles. The term of the contract is five years in an amount up to $27,395,000 with two one-year options in an amount up to $12,337,000 for a total contract value not to exceed $39,732,000.

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

Adopt a resolution upon a two-thirds vote of the Board of Directors finding that a competitive sealed bid process does not constitute a method procurement adequate for VTA’s needs and directing the use of competitive negotiation for the purchase of a Computer Aided Dispatching and Automatic Vehicle Location (CAD/AVL) system, as required by Public Contract Code Section 20306.

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

- Audit Committee – May 1, 2014 Minutes were accepted as contained in the Agenda Packet.
- Silicon Valley Rapid Transit (SVRT) Program Committee – May 5, 2014 Minutes were accepted as contained in the Agenda Packet.
- Congestion Management Program and Planning (CMPP) Committee – There was no report.
- Administration and Finance Committee (A&F) – May 15, 2014 Minutes were accepted as contained in the Agenda Packet.
- Transit Planning and Operations Committee (TP&O) – May 15, 2014 Cancellation Notice was accepted as contained in the Agenda Packet.

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) – May 7, 2014 Minutes were accepted as contained in the Agenda Packet.
- Bicycle & Pedestrian Advisory Committee (BPAC) – May 7, 2014 Minutes were accepted as contained in the Agenda Packet.
• Technical Advisory Committee (TAC) – May 8, 2014 Minutes were accepted as contained in the Agenda Packet.
• Policy Advisory Committee (PAC) – May 8, 2014 Minutes were accepted as contained in the Agenda Packet.

8.2.C. **VTA Policy Advisory Boards (PAB)**

- Diridon Station Joint Policy Advisory Board – There was no report.
- Downtown East Valley PAB – There was no report.
- El Camino Real Rapid Transit PAB – There was no report.

8.2.D. **Joint Powers Boards and Regional Commissions**

- Peninsula Corridor JPB – June 5, 2014, Summary Notes were accepted as contained on the dais.
- Capitol Corridor JPB – There was no report.
- Dumbarton Rail Corridor Policy Committee – There was no report.
- Metropolitan Transportation Commission (MTC) – May 28, 2014 Summary Notes were accepted as contained on the dais.
- Sunol Smart Carpool Lane Joint Powers Authority – There was no report.
- SR 152 Mobility Partnership – There was no report.

8.3. **ANNOUNCEMENTS**

There were no Announcements.

9. **CLOSED SESSION**

9.1. **Recessed to Closed Session at 8:21 p.m.**

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

Name of Case: Narayan v. Santa Clara Valley Transportation Authority

Claim #: 1856380

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

Name of Case: Santa Clara Valley Transportation Authority vs. Jesus Fernandez

Case #: 1-12-CV-237433
C. Conference with Labor Negotiators
   [Government Code Section 54957.6]

   VTA Designated Representatives

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

   Employee Organizations

   Amalgamated Transit Union, Local 265
   American Federation of State, County and Municipal Employees, Local 101
   Transportation Authority Engineers and Architects Association (TAEA), IFPTE, Local 21
   Services Employee International Union, Local 521

9.2. Reconvened to Open Session at 8:37 p.m.

9.3. Closed Session Report

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

   Name of Case: Narayan v. Santa Clara Valley Transportation Authority

   Claim #: 1856380

   Rob Fabela, General Counsel, reported that no reportable action was taken during Closed Session.

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

   Name of Case: Santa Clara Valley Transportation Authority vs. Jesus Fernandez

   Case #: 1-12-CV-237433

   Mr. Fabela reported that no reportable action was taken during Closed Session.
C. Conference with Labor Negotiators
[Government Code Section 54957.6]

VTA Designated Representatives

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

Employee Organizations

Amalgamated Transit Union, Local 265
American Federation of State, County and Municipal Employees, Local 101
Transportation Authority Engineers and Architects Association (TAEA), IFPTE, Local 21
Services Employee International Union, Local 521

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

9.4. Sideletter Agreement with American Federation of State, County and Municipal Employees (AFSCME), Local 101

Bill Lopez, Director of Business Services, reported that a tentative agreement has been reached between VTA and AFSCME, Local 101 to transition to CalPERS Health.

M/S/C (Khamis/Woodward) to approve and formally adopt a side letter of agreement negotiated between the Santa Clara Valley Transportation Authority (VTA) and American Federation of State, County and Municipal Employees, Local 101.

10. ADJOURNMENT

On order of Chairperson Kalra and there being no objection, the meeting was adjourned at 8:38 p.m.

Respectfully submitted,

Michelle Oblena, Board Assistant
VTA Office of the Board Secretary