BOARD OF DIRECTORS MEETING

Thursday, October 1, 2009

MINUTES

CALL TO ORDER

The Regular Meeting of the Santa Clara Valley Transportation Authority’s (VTA) Board of Directors was called to order by Chairperson Sandoval at 5:42 p.m. in the Board of Supervisors’ Chambers, County Government Center, 70 West Hedding Street, San Jose, California.

1. ROLL CALL

<table>
<thead>
<tr>
<th>Attendee Name</th>
<th>Title</th>
<th>Status</th>
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<tbody>
<tr>
<td>Nora Campos</td>
<td>Alternate Board Member</td>
<td>Absent</td>
</tr>
<tr>
<td>David Casas</td>
<td>Board Member</td>
<td>Present</td>
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<tr>
<td>Dominic Caserta</td>
<td>Board Member</td>
<td>Absent</td>
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<tr>
<td>Dean Chu</td>
<td>Ex-Officio Board Member</td>
<td>Present</td>
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<tr>
<td>Don Gage</td>
<td>Board Member</td>
<td>Present</td>
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<tr>
<td>Rose Herrera</td>
<td>Board Member</td>
<td>Absent</td>
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<tr>
<td>Ash Kalra</td>
<td>Board Member</td>
<td>Present</td>
</tr>
<tr>
<td>Yoriko Kishimoto</td>
<td>Board Member</td>
<td>Absent</td>
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<tr>
<td>Liz Kniss</td>
<td>Board Member</td>
<td>Present</td>
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<tr>
<td>Sam Liccardo</td>
<td>Vice Chairperson</td>
<td>Present</td>
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<tr>
<td>Bob Livengood</td>
<td>Alternate Board Member</td>
<td>Absent</td>
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<tr>
<td>Chris Moylan</td>
<td>Alternate Board Member</td>
<td>Absent</td>
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<tr>
<td>Chuck Page</td>
<td>Alternate Board Member</td>
<td>Present</td>
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<tr>
<td>Nancy Pyle</td>
<td>Board Member</td>
<td>Present</td>
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<tr>
<td>Chuck Reed</td>
<td>Board Member</td>
<td>Absent</td>
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<tr>
<td>Dolly Sandoval</td>
<td>Chairperson</td>
<td>Present</td>
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<tr>
<td>Greg Sellers</td>
<td>Board Member</td>
<td>Present</td>
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<tr>
<td>George Shirakawa</td>
<td>Alternate Board Member</td>
<td>Absent</td>
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<tr>
<td>Ken Yeager</td>
<td>Ex-Officio Board Member</td>
<td>Absent</td>
</tr>
</tbody>
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* Alternates do not serve unless participating as a Member.

A quorum was present.
2. ORDERS OF THE DAY

Chairperson Sandoval noted the meeting will be adjourned in memory of those who have lost their lives or have been displaced in American Samoa, Indonesia, and Samoa.

Chairperson Sandoval stated Chuck Page requested the Policy Advisory Committee report to be heard before Awards and Commendations.

M/S/C (Liccardo/Sellers) to accept the Orders of the Day.

The Agenda was taken out of order.

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

Chuck Page, PAC Vice Chairperson, reported the following regarding the September 10, 2009 PAC meeting: 1) PAC received a presentation on Freight Rail Relocation Project; 2) PAC received an update on High Speed Rail; and 3) PAC discussed VTA Governance. The items of discussion for its October 8, 2009 meeting are: Light Rail Systems Analysis, County Expressways Pedestrian Projects funding; Silicon Valley Express Lanes Program.

3. AWARDS AND COMMENDATION

Employees of the Month for October 2009 and Supervisor of the Quarter

Chairperson Sandoval recognized and presented award to Jose Mares, Office Specialist II, Engineering and Construction Administration; Gurdip Tiwana, Bus Dispatcher, North Division as Employees of the Month for October 2009. Tu Vo, Transit Mechanic, Chaboya Division was unable to attend.

Chairperson Sandoval recognized and presented an award to Dolly Grey, Senior Accountant, as Supervisor of the Quarter for the fourth quarter of 2009.

4. PUBLIC PRESENTATIONS

James Wightman, Interested Citizen, inquired about Light Rail Speeds and surveillance cameras.

Michael T. Burns, General Manager, noted VTA is in the initial process of conducting Light Rail Systems analysis and schedules are yet to be determined. VTA is working to outfit the entire surveillance camera system, pending funding from Homeland Security.

NOTE: M/S/C MEANS MOTION SECONDED AND CARRIED AND, UNLESS OTHERWISE INDICATED, THE MOTION PASSED UNANIMOUSLY.
5. **General Manager’s Report**

Michael T. Burns, General Manager, reported the following:

- Fare increases were implemented October 1, 2009 and is going smoothly.
- Ridership for August 2009 was lower when compared to August 2008. Average weekday boardings, bus and light rail boardings were down 5.8, 4.7, and 9 percent respectively. VTA’s interagency partners are experiencing the same decline in ridership: 1) Monterey San Jose express declined almost 36 percent; 2) Caltrain was down 10 percent; and Altamont Commuter Express (ACE) was down 29 percent.
- The new Cancelled Meeting Procedures is provided on the dais. The new procedure calls for advance polling prior to agenda packet distribution. Members will be notified via e-mail and telephone if the meeting is cancelled. Once agenda packets are distributed, the meeting will not be cancelled.
- The California Transit Association (CTA) was successful in its lawsuit against the State of California regarding transportation funding. The California Supreme Court denied the Attorney General’s petition to appeal the District Court of Appeal ruling which stated it is unlawful to divert transportation funds to non-transportation uses. The State and the Legislature still have to work out the details of repayment. Mr. Burns commented it is too early to determine the impact of the ruling to VTA or any other transit agency in California.
- On September 30, 2009, BART broke ground for the Warm Springs Central Subway Project, which will bring BART closer to Santa Clara County. The event was attended by over 200 people and was very well covered by the media. Ex-Officio Board Member Chu was there to represent VTA.
- Mr. Burns indicated he was in Washington D.C. last week together with Board Members Liccardo and Reed, Silicon Valley Leadership Group (SVLG), and other business leaders. They met with Federal Transit Administrator Peter Rogoff and Department of Transportation Secretary LaHood to discuss status of the BART Project, issues regarding reauthorization of the Surface Transportation Bill, and the steps needed to advance the BART Extension Project through the federal process. They also met with the Federal Railway Administration to discuss High Speed Rail (HSR).

Kurt Evans, Government Affairs Manager, provided an update on the status of the Surface Transportation Authorization Bill. Congress passed a continuing resolution yesterday, which includes a one-month extension of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). There is still no consensus between the House and the Senate on how to proceed. The House is willing to concede to a three-month extension to develop the multi-year surface transportation bill. On the other hand, the Senate and President are endorsing an 18-month extension to push SAFETEA-LU past the November 2010 elections. The concern is the amount of money to replace the SAFETEA-LU, which will potentially require a gas tax increase. As of this time, there seem to be no political will in the Senate to increase gas sales tax and the President indicated he will not support a gas tax increase as well.
Eugene Bradley, Silicon Valley Transit Users (formerly known as SVTA Riders’ Union), was pleased to hear the good news regarding CTA lawsuit against the State of California. He remarked his group strongly urges VTA to fight for transportation dollars and use these monies to restore service to January 2008 levels as soon as possible.

6. **Chairperson’s Report**

Chairperson Sandoval explained the September 25, 2009 Workshop was cancelled due to last minute schedule changes of Board Members, which resulted in a lack of quorum. She reminded Board Members to respond to polling e-mails and inform the Board Secretary if their schedule changes.

Chairperson Sandoval reminded Board Members of the group photo to be taken before the November 5, 2009 Board meeting.

A. **Nominating Committee for the election of Chairperson and Vice-Chairperson for the 2010 Board of Directors**

On order of Chairperson Sandoval and there being no objection, the Board appointed Members Gage, Pyle and Sellers as the Nominating Committee for the election of Chairperson and Vice Chairperson for calendar year 2010.

Mr. Bradley commented the selection of the Chairperson and Vice Chairperson should be based on candidate’s transportation experience.

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

Noel Tebo, CAC and Citizens Watchdog Committee (CWC) Chairperson, reported the CWC published its annual report to the public. For this year, the CWC pursued a different publication strategy to reach more audience and save money. The essential facts such as completion of audit and appropriate use of Measure A funds were published in black and white in local newspapers, San Jose Mercury News, and foreign language publications. Readers were advised full details of the Annual Report are available online. The full report will also be distributed to local libraries, VTA lobby, and Board Members.

**CONSENT AGENDA**

Michael Ludwig, Interested Citizen, urged the Board to support H.R. 2746 (Carnahan) as this will prevent further service reductions. He commented public transportation is important and needed in Santa Clara County. He further urged the Board to restore service to January 2008 levels as soon as funding becomes available.

9. **Board of Directors’ Regular Meeting Minutes of September 3, 2009**

M/S/C (Pyle/Gage) to approve the Board of Directors’ Regular Meeting Minutes of September 3, 2009.

M/S/C (Pyle/Gage) to authorize the General Manager to amend the contract with URS for the Project approval/Environmental Documentation phase, Plans, Specifications and Estimates phase and Electronic Toll Systems design services for the SR 85 Express Lanes project by increasing the current cost-plus-fixed-fee contract value by $4,700,000 for a revised contract value not to exceed $6,700,000 and extend the term of the contract to June 30, 2012.

11. **VTA-ATU Pension Plan Actuarial Valuation as of January 1, 2009**

M/S/C (Pyle/Gage) to review the VTA-ATU Pension Plan Actuarial Valuation as of January 1, 2009.

12. **Adoption of ICMA Retirement Corporation’s Model Plan Document for the 457(b) Governmental Deferred Compensation Plan and Trust**

M/S/C (Pyle/Gage) to adopt Resolution No. 2009.10.28 adopting ICMA Retirement Corporation’s (ICMA-RC) Model Plan Document for the 457(b) Governmental Deferred Compensation Plan and Trust, to replace the current customized VTA Plan Document; to authorize VTA staff to make changes to non-optional provisions whenever ICMA-RC amends its Model Plan Document to ensure compliance with Internal Revenue Service (IRS) laws and regulations; and authorize VTA’s Deferred Compensation Committee to make determinations regarding the acceptance or rejection of optional provisions that may become available in the future and to instruct staff to make such changes.

13. **Renewal of Employeee Health Benefit Contracts**

M/S/C (Pyle/Gage) to authorize the General Manager to renew benefit contracts with Kaiser, PacifiCare, Valley Health Plan, Delta Dental, Pacific Union Dental, Vision Service Plan, and Custom Benefits Administrators for VTA employees and retirees for calendar year 2010 and approve the selection of CIGNA as the new provider for life and long-term disability benefits.


M/S/C (Pyle/Gage) to adopt a support position for H.R. 2746 (Carnahan), which allows all public transit agencies to use a portion of their federal Section 5307 Urbanized Area (UZA) formula funds for operating purposes.

15. **Citizens Watchdog Committee 2008 Measure D Duties**

M/S/C (Pyle/Gage) to adopt Resolution No. 2009.10.29 amending the bylaws of the Citizens Advisory Committee to incorporate the additional duties specified by the 2008 Measure D ballot and amending the VTA Administrative Code to be consistent therewith.
16. **October 2009 Service Changes**

M/S/C (Pyle/Gage) to receive the report on service changes becoming effective October 5, 2009.


M/S/C (Pyle/Gage) to receive the 2000 Measure A Semi-Annual Report.

18. **Increase Contingency Allowance - Chaboya Bus Wash**

M/S/C (Pyle/Gage) to authorize the General Manager to amend the lump-sum time-and-materials contract with Air and Lube Systems Incorporated of Sacramento, CA by $176,990, bringing the total value of this contract to $787,024. This contract is 80% federally funded.

19. **Emergency Telephones for Light Rail Platforms - Contract Award to RFI Communications and Security Systems Inc.**

M/S/C (Pyle/Gage) to authorize the General Manager to execute a contract and contract amendments with RFI Communications and Security Systems Inc., the lowest responsible bidder, in the amount of $539,653 to furnish and install up to 70 Emergency Telephones for light rail platforms, and Emergency Telephones as needed for 5 major transit centers. This contract will be 100% funded by the Department of Homeland Security - Transit Security Grant Program.

20. **Freight Railroad Relocation - Cooperative Funding Agreement with the Alameda County Flood Control District for Construction of the Agua Caliente Creek Culvert Improvements**

M/S/C (Pyle/Gage) to authorize the General Manager to execute a Cooperative Funding Agreement with the Alameda County Flood Control District in an amount not to exceed $2.0 million for construction costs related to improvements to Agua Caliente Creek Culvert. Under the proposed agreement, VTA’s financial obligation would be limited to $1.0 million.

21. **Mission Warren Truck Rail Program - Cooperative Funding Agreement Amendment with the Alameda County Transportation Authority and the City of Fremont for Final Engineering Services**

M/S/C (Pyle/Gage) to authorize the General Manager to execute an amendment to the Cooperative Funding Agreement with Alameda County Transportation Authority and City of Fremont for final engineering services for the Mission Warren Truck Rail Program. The Cooperative Funding Agreement amendment will increase the VTA final engineering services share by $5.3 million to $12.2 million.
REGULAR AGENDA

22. **Quarterly Revenue & Expense Statement for Period Ending June 30, 2009**

Joseph Smith, Chief Financial Officer, provided a brief summary of the Quarterly Revenue and Expense Statement for Period Ending June 30, 2009 highlighting the following: 1) actual total revenues are $48 million below budget estimates; 2) total expenses are $28.6 million below budget estimates; and 3) actual budget reflects $11.3 million deficit. Revenues are down due to unfavorable variances in sales tax receipts. VTA was able to offset some loss revenues through the use of federal grants for preventive maintenance and other cost saving measures. Expenses had favorable variances due to labor savings, cost saving measures for materials and services, and lower fuel prices.

Mr. Burns commented the financial situation is worse than expected. Staff is working with the Administration and Finance Committee (A&F) to develop a financial strategy the Board can adopt by the end of the year. Although the CTA lawsuit was successful, VTA cannot rely on those monies coming in the near future as it is still not clear on how and when the State will repay the funds. Mr. Burns noted VTA is facing serious financial challenges and there will be significant decisions to be made while maintaining a relevant transit system. VTA’s reserves has a positive balance; however, if the current trends continue, the reserves will have a negative balance before the end of FY 2010.

Upon inquiry of Vice Chairperson Liccardo, Mr. Smith explained projected revenues for FY 2011 are lower than FY 2010 due to grant funding VTA is scheduled to receive by FY 2010 only. The assumptions were also based on VTA’s historical experience during previous economic downturn. Staff is working with Beacon Economics to review the budget projections regularly and make updates as necessary.

Board Member Casas inquired about VTA’s financial plan and potential structural changes that can be implemented. Mr. Smith responded staff’s immediate plan is to conduct a thorough budget review during this month to determine where adjustments could be made. Mr. Smith added VTA needs to develop a long-term strategy on how to do business.

Mr. Burns reiterated staff will begin the financial strategy discussions with the A&F this month and hopefully develop a strategy the Board could adopt by December 2009. Mr. Burns concurred there is a need to make fundamental changes on how to do business.

Board Member Pyle commented the public should be made more aware of VTA’s financial condition. This strategy could be used to encourage the Governor and State Legislature to look into creative ways of obtaining revenue such as oil extraction fees. Mr. Evans reported there was an oil severance tax initiative in the past but there was no Republican support in the Assembly or Senate at that time. However, the Commission for 21st Century Economy recently recommended this concept and the Governor called the legislature to a special session to consider the Commission’s recommendations.
Board Member Sellers stressed the importance of keeping the public informed. The outreach materials for the service reductions in January 2010 should include information on how the current economic condition may trigger further potential changes. Board Member Gage argued VTA’s message should be kept as positive as possible to prevent significant ridership loss. The public should be notified of VTA’s plans to fix problems.

Upon inquiry of Chairperson Sandoval, Mr. Smith responded VTA is not isolated in this financial crisis. In fact, transit and local agencies across the nation are experiencing financial problems.

Ross Signorino, Interested Citizen, inquired about the CTA lawsuit. Mr. Burns explained CTA sued the State of California over the unlawful diversion of transportation dollars to general fund (non-transportation) uses over the last several years. CTA won the case on the lower and appellate courts and the California Supreme Court refused to hear the State of California’s appeal to reverse the earlier rulings. There is about $3.4 billion to be repaid back to transportation; however, the details of repayment still need to be determined and therefore cannot immediately help with VTA’s current financial condition.

M/S/C (Gage/Liccardo) to review and accept the Fiscal Year 2009 Quarterly Statement of Revenues and Expenses for the period ending June 30, 2009.

23. **January 2010 Service Changes**

Mr. Burns explained these service changes are included in the adopted budget. He noted the service cuts are not going to help with the budget shortfall reported earlier in the previous item. The Service Reduction Plan had an extensive public outreach process and was reviewed by all VTA Committees. Necessary changes have been made to the original proposal to accommodate the comments received from the public outreach and Committee process.

Jim Unites, Operations Deputy Director, reviewed the process and schedule including public process and the review of various VTA Committees. Mr. Unites reviewed the original proposal for bus and light rail service changes, revised proposal based on comments received; and the impacts of the service changes.

Board Member Kniss arrived and took her seat at 6:45 p.m.

Mr. Bradley stated bus service is very important to the community. He thanked staff for making adjustments to the original proposal based on comments received (i.e. retention of late night bus service for Bus Lines #22 and #34). He urged restoration of the 2008 service levels as soon as possible.

Mr. Ludwig concurred with Mr. Bradley’s comments and urged restoration of service to January 2008 service levels.

Jim Fink, Interested Citizen, noted a typographical error in the memorandum concerning River Oaks Shuttle. Mr. Fink suggested the following: 1) implement higher fare increases
Mr. Signorino referred to the potential 49ers Football Stadium in the City of Santa Clara. He noted there may be a financial strain to VTA once the stadium is operational since VTA would have to provide transportation to and from the sporting events. To mitigate this, VTA should consider obtaining a subsidy from 49ers management early in the process. This will ensure costs of providing transportation to and from the future stadium is shared and will not be a financial burden to VTA.

Upon inquiry of Board Member Casas, staff responded they will work with the City of Mountain View and the community to improve the productivity of Bus Route #34. Staff affirmed it will do its annual review and will use the results to determine if the route needs any cuts.

The Board thanked staff for their diligent work and professionalism during the outreach process. They expressed appreciation to staff’s responsiveness and willingness to revise the original plan based on the comments received.

The Board commented politics should not be in play in this process of determining which routes should be cut, restored, or maintained. Instead, restoration or maintenance of transit service should solely be based on evaluation of need and performance. The Board inquired if staff looked into strategies on how to restore the services that have been cut. Mr. Unites responded staff proactively evaluates the transit service regularly and makes recommendations to the Board for appropriate adjustments.

The Board communicated there will be bigger challenges in the coming months. The service changes presented today were actually contained in the approved budget. The lower sales tax revenues may prompt more cuts in the future. Additionally, there is also the challenge of restoring ridership and keeping public transportation a viable alternative.

Vice Chairperson Liccardo referred to Santa Clara County Supervisor Cortese’s letter and asked which particular lines Supervisor Cortese was concerned about. Mr. Unites responded the staff response is available in the dais and added some of the lines were restored (i.e. Bus Line #22) and others were not.

Chairperson Sandoval reminded everyone the Transit Service Reduction Plan is already included in the Budget adopted in June 2009. She reiterated the cuts are not going to address the reduced sales tax revenues reported earlier in the meeting.

M/S/C (Gage/Sellers) to certify that the Initial Study for the January 2010 Transit Service Reduction Plan (Project):

1. Meets the requirements of the California Environmental Quality Act (CEQA);
2. Represents the independent judgment of VTA as the Lead Agency; and
3. Was presented to the VTA Board for review and consideration
M/S/C (Gage/Sellers) to adopt a Negative Declaration based on the consideration of the Initial Study, comments received and responses to those comments.

M/S/C (Gage/Sellers) to approve the Transit Service Reduction Plan, which will take effect on January 11, 2010.

**Agenda Items #24 to Agenda Item #32**

Agenda Item #24. Silicon Valley Rapid Transit Program - Planning and New Starts Support Services Contract with AECOM Consult

Agenda Item #25. Silicon Valley Rapid Transit Program - Planning and Outreach Services Contract with Kimley-Horn and Associates, Inc.

Agenda Item #26. Silicon Valley Rapid Transit Program - Operations Planning Services Contract with Connetics Transportation Group

Agenda Item #27. Silicon Valley Rapid Transit Program - Travel Forecasting Services Contract with Hexagon Transportation Consultants, Inc.

Agenda Item #28. Silicon Valley Rapid Transit Program - Management Services Contract Amendment with HMM/Bechtel Joint Venture

Agenda Item #29. Silicon Valley Rapid Transit Program and Freight Railroad Relocation Program – Amendment to Engineering Services Contract with HNTB Corporation

Agenda Item #30. Silicon Valley Rapid Transit Program – Amendment to Engineering Services Contract with AECOM Technical Services, Inc.

Agenda Item #31. Silicon Valley Rapid Transit Program – Amendment to Engineering Services Contract with PGH Wong Engineering/Parsons Brinckerhoff Quade & Douglas Joint Venture

Agenda Item #32. Silicon Valley Rapid Transit Program – Amendment to Engineering Services Contract with Booz Allen Hamilton, Inc.

Mr. Burns noted these contracts are necessary to complete the work needed to advance the project to final design.

Carolyn Gonot, Silicon Valley Rapid Transit (SVRT) Program Officer, provided a presentation for Agenda Items #24 to Agenda item #32 highlighting the following: 1) SVRT Funding Sources; 2) Federal Funding Milestones Achieved for the SVRT Program; 3) FTA Full Funding Grant Agreement Process and Schedule; 4) Re-entry into New Starts Funding Program; 5) Final Environmental Impact Statement (FEIS); 6) Federal Funding Milestones Ahead; 7) FTA Permission to Enter Final Design; 8) FTA Full Funding Grant Agreement (FFGA) Support; 9) Summary of Professional Services Contracts; and 10) BART Agency Support.
Upon inquiry of Chairperson Sandoval, Ms. Gonot confirmed funding for these contracts are coming from the capital budget and supported mostly by State Transportation Congestion Relief Program (TCRP) monies.

Board Member Kniss expressed concern about awarding contracts to non-California or non-local companies. She noted there should be greater efforts to keep contracts of this magnitude within California. Board Member Casas noted he appreciates the desire to keep dollars local; however, he stated it is important to look at efficiency, performance, and effectiveness in selecting contractors. Chairperson Sandoval suggested the Board to have a future discussion on policy decisions regarding weighted criteria, which will give preference to local companies.

Vice Chairperson Liccardo inquired if there is conflict of interest as he did a fundraising for Measure B and some of these firms contributed to the Measure B. Kevin Allmand, General Counsel responded “no.” He explained Government Section Code 84308 applies if contributions were accepted for a candidate’s own campaign or controlled committee.

Board Member Casas referred to Rail Vehicle Procurement process and stated VTA should take necessary steps now to ensure cars procured for the BART Extension are used to serve Santa Clara County residents. He added mechanisms should be placed early in the process to guarantee investments made by VTA will serve its community. Ms. Gonot responded staff will come back to the Board within six to nine months to discuss those issues. Ex-Officio Board Member Chu indicated the Metropolitan Transportation Commission (MTC) is aware of BART’s intent to procure vehicles; however, BART does not have enough funding to procure the number of vehicles they intend to buy.

Mr. Bradley expressed concern regarding BART car costs and the lack of seats in the new design. Ms. Gonot responded BART released a request for proposals (RFP) and there were 10 interested vendors. There have been discussion about fewer seats for the new design and that information will be provided to the Board once available.

Mr. Wightman commented on the importance of BART Extension to VTA’s existing light rail lines.

Board Member Kniss reiterated her concern about awarding contracts to non-local or non-California companies. She expressed concern regarding people’s perception to awarding multi-million contracts for the BART Project and yet transit services are reduced. To mitigate misinformation of the public, she strongly advised VTA to exert efforts to remind the public that they have voted for BART to come to Santa Clara County.

M/S/C (Gage/Pyle) to approve Agenda Items 24 through 32 as follows:

24.  **Silicon Valley Rapid Transit Program - Planning and New Starts Support Services Contract with AECOM Consult**

M/S/C (Gage/Pyle) to authorize the General Manager to execute a contract with AECOM Consult, for services associated with continued planning of the BART Extension to Milpitas, San Jose and Santa Clara for an amount of $942,576 and a contract term to March 31, 2012.
25. **Silicon Valley Rapid Transit Program - Planning and Outreach Services Contract with Kimley-Horn and Associates, Inc.**

   M/S/C (Gage/Pyle) to authorize the General Manager to execute a contract with Kimley-Horn and Associates, Inc., for services associated with continued planning of the BART Extension to Milpitas, San Jose and Santa Clara. The contract will be for an amount of $9,500,000 with a contract term to September 30, 2011.

26. **Silicon Valley Rapid Transit Program - Operations Planning Services Contract with Connetics Transportation Group**

   M/S/C (Gage/Pyle) to authorize the General Manager to execute a contract with Connetics Transportation Group, for services associated with continued planning of the BART Extension to Milpitas, San Jose and Santa Clara for an amount of $750,000 and for a contract term to March 31, 2012.

27. **Silicon Valley Rapid Transit Program - Travel Forecasting Services Contract with Hexagon Transportation Consultants, Inc.**

   M/S/C (Gage/Pyle) to authorize the General Manager to execute a contract with Hexagon Transportation Consultants, Inc., for services associated with continued planning of the BART Extension to Milpitas, San Jose and Santa Clara for an amount of $312,500 and for a contract term to March 31, 2012.

28. **Silicon Valley Rapid Transit Program - Management Services Contract Amendment with HMM/Bechtel Joint Venture**

   M/S/C (Gage/Pyle) to authorize the General Manager to execute a contract amendment with the HMM/Bechtel Joint Venture for Program management services supporting the BART Extension to Milpitas, San Jose and Santa Clara. The contract amendment will extend the contract term to March 2011 and be for an amount of $28,500,000.

29. **Silicon Valley Rapid Transit Program and Freight Railroad Relocation Program – Amendment to Engineering Services Contract with HNTB Corporation**

   M/S/C (Gage/Pyle) to authorize the General Manager to execute a contract amendment with the HNTB Corporation in an amount not to exceed $10.98 million, and extend the contract term to December 31, 2010, for engineering services for the Silicon Valley Rapid Transit Program and design support during construction and engineering services for the Freight Railroad Relocation Program. The current HNTB Corporation contract amount is $72.36 million.

30. **Silicon Valley Rapid Transit Program – Amendment to Engineering Services Contract with AECOM Technical Services, Inc.**

   M/S/C (Gage/Pyle) to authorize the General Manager to execute a contract amendment with AECOM Technical Services, Inc. (formerly known as Earth Tech, Inc.) in an amount not to exceed $1.1 million, and extend the contract term to December 31, 2010,
for engineering services for the Silicon Valley Rapid Transit Program. The current AECOM Technical Services, Inc. (AECOM) contract amount is $42.2 million.

31. **Silicon Valley Rapid Transit Program – Amendment to Engineering Services Contract with PGH Wong Engineering/Parsons Brinckerhoff Quade & Douglas Joint Venture**

M/S/C (Gage/Pyle) to authorize the General Manager to execute a contract amendment with PGH Wong Engineering, Inc. and Parsons Brinckerhoff Quade & Douglas, Inc. (Wong/PB Joint Venture) in an amount not to exceed $1.5 million, and extend the contract term to December 31, 2010, for engineering services for the Silicon Valley Rapid Transit Program. The current Wong/PB Joint Venture contract amount is $29.2 million.

32. **Silicon Valley Rapid Transit Program – Amendment to Engineering Services Contract with Booz Allen Hamilton, Inc.**

M/S/C (Gage/Pyle) to authorize the General Manager to execute a contract amendment with Booz Allen Hamilton, Inc. in an amount of $2.19 million, and extend the contract term to December 31, 2010, for design integration engineering services for the Silicon Valley Rapid Transit Program. The current Booz Allen Hamilton, Inc. contract amount is $14.0 million.

**OTHER ITEMS**

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

Chairperson Sandoval noted the Board needs to review the policy on local consultants.

34. **Monthly Legislative History Matrix**

On order of Chairperson Sandoval and there being no objection, the Monthly Legislative History Matrix was received.

35. **REPORTS (UNAPPROVED MINUTES) FROM STANDING COMMITTEES**

A. **Administration and Finance Committee**

On order of Chairperson Sandoval and there being no objection, the September 17, 2009 Administration and Finance Committee Meeting Minutes were accepted as contained on the dais.

B. **Congestion Management Program and Planning Committee**

On order of Chairperson Sandoval and there being no objection, the September 17, 2009 Congestion Management Program and Planning (CMPP) Committee Meeting Minutes were accepted as contained on the dais.
C. **Transit Planning and Operations Committee**

On order of Chairperson Sandoval and there being no objection, the September 17, 2009 Transit Planning and Operations (TP&O) Committee Meeting Minutes were accepted as contained on the dais.

D. **Audit Committee**

There was no report from the Audit Committee.

36. **REPORTS (UNAPPROVED MINUTES) FROM ADVISORY COMMITTEES**

A. **Committee for Transit Accessibility (CTA)**

On order of Chairperson Sandoval and there being no objection, the September 9, 2009 Committee for Transit Accessibility (CTA) Minutes were accepted as contained in the Agenda packet.

B. **Citizens Advisory Committee (CAC) and 2000 Measure A Citizens Watchdog Committee (CWC)**

On order of Chairperson Sandoval and there being no objection, the September 9, 2009 Citizens Advisory Committee (CAC) and 2000 Measure A Citizens Watchdog Committee (CWC) Minutes were accepted as contained in the Agenda packet.

C. **Bicycle & Pedestrian Advisory Committee (BPAC)**

On order of Chairperson Sandoval and there being no objection, the August 12, 2009 Bicycle & Pedestrian Advisory Committee (BPAC) Minutes were accepted as contained in the Agenda packet.

D. **Technical Advisory Committee (TAC)**

There was no report from the Technical Advisory Committee (TAC).

E. **Policy Advisory Committee (PAC)**

On order of Chairperson Sandoval and there being no objection, the September 10, 2009 Policy Advisory Committee (PAC) Meeting Minutes were accepted as contained in the Agenda packet.
37. REPORTS FROM JOINT POWERS BOARDS (JPBs) & REGIONAL COMMISSIONS

A. Peninsula Corridor JPB

On order of Chairperson Sandoval and there being no objection, the October 1, 2009 Summary Notes from the Peninsula Corridor Joint Powers Board were accepted as contained on the dais.

B. Capitol Corridor JPB

On order of Chairperson Sandoval and there being no objection, the September 16, 2009 Summary Notes from the Capitol Corridor JPB were accepted as contained on the dais.

C. Dumbarton Rail Corridor Policy Committee

Board Member Casas referred to the Dumbarton Rail Project Memorandum and clarified the following: 1) there is a lot of push back on the $700 million project costs; 2) the Policy Committee will discuss the costs increases in December because there is a lack of transparency on what contributed to the escalation of costs; 3) ridership data is outdated; and 4) enhancements referred to in the memorandum is the connection to Fremont, which will increase ridership projection to BART Extension projected ridership levels.

On order of Chairperson Sandoval and there being no objection, the September 25, 2009 Summary Notes from the Dumbarton Rail Corridor Policy Committee were accepted as contained on the dais.

D. Metropolitan Transportation Commission (MTC)

On order of Chairperson Sandoval and there being no objection, the September 23, 2009 Summary Notes from the Metropolitan Transportation Commission (MTC) were accepted as contained on the dais.

E. Sunol Smart Carpool Lane Joint Powers Authority

On order of Chairperson Sandoval and there being no objection, the September 14, 2009 Summary Notes from the Sunol Smart Carpool Lane Joint Powers Authority were accepted as contained on the dais.
38. REPORTS FROM VTA POLICY ADVISORY BOARDS (PABs)

A. Vasona Light Rail PAB

There is no report from the Vasona Light Rail PAB.

B. Silicon Valley Rapid Transit Corridor & BART Warm Springs Extension PAB

There is no report from the Silicon Valley Rapid Transit Corridor & BART Warm Springs Extension PAB.

C. Downtown East Valley PAB

There is no report from the Downtown East Valley PAB.

D. Highway PAB South

There is no report from the Highway PAB South.

39. ANNOUNCEMENTS

There were no Announcements.

40. ADJOURNMENT

On order of Chairperson Sandoval and there being no objection, the meeting was adjourned at 7:53 p.m. in memories of the following:

- People who have lost their lives or have been displaced due to the Tsunami in American Samoa, Indonesia, and Samoa; and
- Former Mountain View Mayor Rosemary Stasek, who passed away in Afghanistan due to health reasons. Ms. Stasek was in Afghanistan to focus on helping improve the lives of Afghanistan girls and women. A service will be held on Monday at noon.

Respectfully Submitted,

Elaine F. Baltao, Board Assistant
Office of the Board Secretary