

From: VTA Board Secretary

Sent: Wednesday, April 1, 2020 11:56 AM

To: VTA Board of Directors

Subject: VTA Information: Board of Directors Special Meeting Agenda Packet for April 2, 2020

VTA Board of Directors:

The VTA Board of Directors will convene a Special Meeting immediately after the conclusion of the April 2, 2020, VTA Board of Directors' regular meeting.

The April 2, 2020 VTA Board of Directors *Special Meeting Notice and Agenda* packet is **now available** on our [agenda portal](#).

Thank you,

Office of the Board Secretary
Santa Clara Valley Transportation Authority
3331 North First Street, Building B
San Jose, CA 95134-1927
Phone [408-321-5680](tel:408-321-5680)



From: VTA Board Secretary

Sent: Wednesday, April 1, 2020 5:17 PM

To: VTA Board Secretary

Subject: VTA Information: April 2, 2020 Board of Directors Meeting Updated Agenda Packet

VTA Board of Directors:

The April 2, 2020, Board of Directors Agenda Packet has now been updated to include presentations and/or materials for the following items:

- **Agenda Item #7.4** – Silicon Valley Rapid Transit (SVRT) Program Update
- **Agenda Item # 8.1**- General Manager Report

You may access the updated agenda outline on our [agenda portal](#).

Thank you,

Office of the Board Secretary
Santa Clara Valley Transportation Authority
3331 North First Street, Building B
San Jose, CA 95134-1927
Phone [408-321-5680](tel:408-321-5680)



From: VTA Board Secretary

Sent: Friday, April 3, 2020 3:22 PM

To: VTA Board of Directors

Subject: VTA Info: Confirmation of Special Board of Directors Meeting on April 17, 2020

VTA Board of Directors:

Based on preliminary polling results, a Special Board of Directors meeting will be held via teleconference on Friday, April 17, 2020 from 9:00 a.m. to 12:00 p.m.

Please place this meeting date/time on your calendar.

Thank you.

VTA Office of the Board Secretary
Santa Clara Valley Transportation Authority
3331 North First Street, Building B-1
San Jose, CA 95134-1927
Phone: 408-321-5544



From: VTA Board Secretary
Sent: Friday, April 3, 2020 6:32 PM
To: VTA Board of Directors
Subject: VTA Correspondence: Week ending April 3, 2020

VTA Board of Directors:

We are forwarding to you the following correspondence:

From	Topic
Roland Lebrun, Member of the Public	Comments regarding: 1) 4/2/20 VTA Board mtg; 2) 4/2/20 Caltrain Board mtg; 3) JPB Finance Committee; and 4) Violation of Executive Order N-35-20

Thank you.

Office of the Board Secretary
Santa Clara Valley Transportation Authority
3331 North First Street, Building B
San Jose, CA 95134-1927
Phone [408-321-5680](tel:408-321-5680)



From: Roland Lebrun
Sent: Thursday, April 2, 2020 4:13 PM
To: VTA Board Secretary
Subject: Item 2 public comment

Dear VTA Board Secretary,

Please append this to item 2 of the packet (general public comment)
Apologies for the short notice

SB797 as currently written is inequitable. Specifically, Santa Clara County is expected to contribute approximately \$6M/year more than San Francisco and San Mateo counties combined but half of Santa Clara County does not get viable Caltrain service.

A more equitable solution could be to allocate a minimum percentage of tax revenues to the agency for Operations & Maintenance and State Of Good Repair but each county's surplus would go back to the county for local capital projects such as the Downtown Extension in San Francisco or Diridon and double-tracking to Gilroy in Santa Clara County.

This model follows AB1847 which proposes that 20% of revenues go the Regional Housing Authority the remaining 80% go back to the originating counties.

Presentation: <https://mtc.legistar.com/View.ashx?M=F&ID=8195839&GUID=E62BC193-E3AA-4C1C-9754-2B73EA234EB6>

Video: http://baha.granicus.com/MediaPlayer.php?view_id=1&clip_id=6822&meta_id=158801

In closing, please note that AB1847's legislative effort is driven by ABAG while Caltrain sales tax legislation should be driven by MTC whose Chair has indicated a preference for supporting transportation measures over housing measures.

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In closing, please note that AB1847's legislative effort is driven by ABAG while Caltrain sales tax legislation should be driven by MTC whose Chair has indicated a preference for supporting transportation measures over housing measures.

From: Board (@caltrain.com)
Sent: Monday, March 23, 2020 9:45 AM
To: Roland Lebrun; Board (@caltrain.com)

Cc: SFCTA Board of Supervisors; VTA Board Secretary
Subject: RE: Finance Committee meeting agenda and packet

Dear Mr. Lebrun, et al,

I write in response to your email sent at 2:58 p.m. on March 20th to the Peninsula Corridor Joint Powers Board (JPB). The agenda for the March 23, 2020 JPB Finance Committee meeting at 2:30 p.m. was physically posted at the Caltrain administrative office at approximately 3:30 on March 20th (71 hours before the planned start of the meeting). The agenda, with all attachments, also was placed on the website less than 45 minutes later, despite the extreme challenges confronting staff during this unprecedented COVID19 pandemic.

The JPB staff has been working hard to adjust the meeting plan and to secure and test the technology we will employ to maximize opportunities for the public to have full access to the meeting, despite the stay-home orders imposed throughout the Caltrain service area by our State and county governments. Typically the JPB typically publishes agenda materials well in advance of the deadlines established by the Brown Act (e.g., 72 hours in advance of a regular meeting). Friday's posting of the agenda for today's meeting was approximately 71 hours in advance of the Finance Committee meeting meets all reasonable expectations for substantial compliance under the law.

Sincerely,

Dora Seamans
Executive Officer/Board Secretary

From: Roland Lebrun <ccss@msn.com>
Sent: Friday, March 20, 2020 2:58 PM
To: Board (@caltrain.com)
Cc: SFCTA Board of Supervisors; VTA Board Secretary
Subject: Finance Committee meeting agenda and packet

Dear Chair Pine and Board members,

I hope that this email finds you and yours in good health.

The purpose of this email is to inform you that, as of 2.30 PM today Friday 20th, the agenda for the Monday 23 JPB Finance Committee has not been posted:
http://www.caltrain.com/Meetings/JPB_Finance_Committee_Meeting_s_p6515.html?EventMode=View&EventOccurrence=0

JPB Finance Committee Meeting

< Back to Calendar: JPB Finance Committee Meeting:
Date: March 23, 2020: Time: 2:30 PM: Location: San Mateo
County Transit District Headquarters Map it 1250 San
Carlos Ave.

www.caltrain.com

http://www.caltrain.com/about/bod/Board_of_Directors_Meeting_Calendar.html

Please direct staff to either issue a notice of cancellation or post the agenda including directions for members of the public to provide written and/or verbal comments.

Thank you in advance for your consideration.

Roland Lebrun

cc

SFCTA Board of Directors
VTA Board of Directors

From: Roland Lebrun

Sent: Monday, March 30, 2020 4:59 AM

To: Caltrain Board

Cc: clerk@sfcta.org; VTA Board Secretary; MTC-ABAG; SFCTA CAC; Caltrain CAC Secretary

Subject: Violation of Executive Order N-35-20

Dear Chair Pine and Board members,

The intent of the attached letter is as follows:

1. Inform the Board that any further failures to comply with Executive Order N-35-20 and/or Government Code Section 54954.3 will result in a letter to cease and desist followed by a court injunction barring any further Caltrain meetings until Caltrain's managing agency complies.
2. Request that the Board terminate Hanson Bridgett LLP's contract effective immediately for cause
3. Request that the Board assign responsibility for all legal services to Olsen Remcho, LLP
4. Request that the Board notify the San Mateo County Transit District that their services will no longer be required effective July 1st 2021 pursuant to section 6.B of the October 1996 Agreement

Sincerely,

Roland Lebrun

CC

SFCTA Board of Directors

VTA Board of Directors

MTC Commissioners

SFCTA CAC

Caltrain CAC

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[http://www.caltrain.com/Assets/ Public+Affairs/pdf/Restated+Joint+Powers+Agreement+Peninsula+Corridor+Project+\(Oct.+1996\).pdf](http://www.caltrain.com/Assets/Public+Affairs/pdf/Restated+Joint+Powers+Agreement+Peninsula+Corridor+Project+(Oct.+1996).pdf)

Background

3/12 Governor Newsom issues Executive Order N-25-20

*"A local legislative body or State body is authorized to hold public meetings via teleconferencing and **to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to attend and to address the local legislative body or State body**"*

3/17 Governor Newsom issues Executive Order N-29-20

3/19 The SFCTA holds its first public meeting via Zoom/teleconference

Public Comment

- "Raise hand" to speak (*9 on phone, *6 to mute/unmute)
- Submit questions via chat

3/21 Governor Newsom issues Executive Order N-35-20

“Nothing in this order permits the members of a local legislative body to take action on, or to discuss amongst themselves, any item of business that is within the subject matter jurisdiction of the legislative body outside of the Brown Act”

3/23 JPB Finance Committee meeting chaired by Director Davis.

Members of the public use “Raise Hand” to indicate a request to speak on an item, are unmuted during their testimony and the meeting proceeds without incident.

3/24 Adina Levin writes to the Board quoting Santa Clara County Board of Supervisors teleconference guidelines: ***“When the Board President calls for the item on which you wish to speak, click on “raise hand.” The Clerk will activate and unmute speakers in turn. Speakers will be notified shortly before they are called to speak.”***

<https://www.sccgov.org/sites/bos/Pages/Meetings.aspx>

3/25 WPLP Committee chaired by Director Stone

San Mateo County District Board Secretary refuses to unmute members of the public and Director Stone refuses to read written comments submitted via Q&A into the record.

San Mateo County District Legal Council opines that the meeting protocol complies with Executive order N-29-20.

3/26 BART Board emergency meeting

Members of the Board communicate via Zoom and members of the public are allowed to participate via teleconference (150 attendees). Public testimony is allowed in blocks of 10 participants. 20 participants deliver public comments and the Board meeting proceeds without incident.

Conclusion

The San Mateo County Transit District failed in its duty to provide adequate administrative services to the Caltrain Joint Powers Board and should be terminated at the earliest opportunity but no later than July 1st 2021.

Sincerely,

Roland Lebrun