

**From:** VTA Board Secretary

**Sent:** Monday, February 28, 2022 2:49 PM

**To:** VTA Board of Directors

**Subject:** VTA Information: Addendum to the March 3, 2022, Board of Directors Meeting Agenda Packet

**Board of Directors:**

The VTA Board of Directors Agenda packet for the **Thursday, March 3, 2022, Meeting** has been updated to include an Addendum (**Agenda Item 7.1.D.X.** Conference with Legal Counsel – Anticipated Litigation).

You may view the Addendum to the Agenda by clicking on our website [here](#).

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:** Monday, February 28, 2022 5:06 PM

**To:** VTA Board of Directors

**Subject:** VTA Information: 2nd Update -Addenda to the March 3, 2022, Board of Directors Meeting Agenda Packet

**Board of Directors:**

The VTA Board of Directors Agenda packet for the **Thursday, March 3, 2022, Meeting** has been updated with an Addenda to include the following:

- **Agenda Item 6.12.X.** Adopt a restated Regional Measure 3 (RM3) Implementing Agency Resolution of Project Compliance – Letter of No Prejudice for the construction phase of the Eastridge to BART Regional Connector (EBRC) project..
- **Agenda Item 7.1.D.X.** Conference with Legal Counsel – Anticipated Litigation (**added earlier**)
- **Agenda Item 7.1.D.X.X.** Conference with Labor Negotiators

You may view the Addenda to the Agenda by clicking 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**

**From:** VTA Board Secretary

**Sent:** Thursday, March 3, 2022 3:24 PM

**To:** VTA Board Secretary

**Subject:** VTA Information: March 3, 2022, Board of Directors Meeting 4th Update to Agenda Packet

**Board of Directors:**

Attached is the timed agenda for tonight's March 3, 2022, Board of Directors Meeting.

Also, the VTA Board of Directors Agenda packet for the **Thursday, March 3, 2022, Meeting** has been updated to include additional information (presentations and/or materials) for the following items:

- **Agenda Item # 5.1.**, Committee Reports
- **Agenda Item # 5.2.**, General Manager Report
- **Agenda Item #6.12.** Agenda Item #6.12., Unapproved Minutes/Summary Reports from VTA Committees, Joint Powers Boards (JPB), and Regional Commissions

You may view the updated Agenda outline by clicking 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)

## BOARD OF DIRECTORS MEETING

Thursday, March 3, 2021

### ESTIMATED TIMES:

5:30 PM – CALL TO ORDER

6:45 PM– RECESS TO CLOSED SESSION (FIRST)

7:00 PM– RESUME OPEN SESSION

9:30 – RECESS TO CLOSED SESSION (SECOND)

10:31 PM – ADJOURN

### AGENDA

#### 1. CALL TO ORDER

---

5 mins, END AT 5:35 PM

##### 1.1. ROLL CALL

Roll call will be called in alphabetical order.

##### 1.2. Orders of the Day

Note the following:

- Addenda to agenda: #6.12.X; #7.1.DX; #7.1.DXX
- Slight change on #8.4 agenda language to add “up to”
- Hear #7.1.D.XX (SEIU) ) as first closed session agenda
- Defer Closed Session #7.D
- Hear #8.7 after #8.1
- Adjourn in memory of Mike Evanhoe, former VTA Chief Development Officer

#### 2. AWARDS AND COMMENDATION

---

5 mins, END AT 5:40 PM

##### 2.1. ACTION ITEM - Adopt the Resolution of Appreciation for retiring Chief of System Safety and Security Angelique Gaeta

Angelique is expected to attend.

Note: Pls. turn on video after reading the abbreviated resolution for a group shot

### 3. PUBLIC COMMENT

30 mins, END AT 6:10 PM

This portion of the meeting is reserved for persons desiring to address the Board of Directors on any item within the Board's jurisdiction **but not on the agenda**. Speakers are **limited to 1 minute**. This section of the agenda is limited to no more than 30 minutes but could be extended at the discretion of the chairperson. Those who requested to speak but were unable to address the Board on Item #3 due to the time limit will have the opportunity to address the Board on the second public comment, under "Other Items". The law does not permit Board action or extended discussion of any item not on the agenda except under special circumstances. If Board action is requested, the matter can be placed on a subsequent agenda. All statements that require a response will be referred to staff for reply in writing.

### 4. PUBLIC HEARINGS

*There are no public hearings.*

### 5. REPORTS

25 mins, END AT 6:35 PM

#### 5.1. Committee Reports

5.1.A. Citizens Advisory Committee (CAC) Chairperson's Report. (Verbal Report)  
(Swaminathan)

5.1.B. Policy Advisory Committee (PAC) Chairperson's Report. (Verbal Report)  
(Moore)

5.1.C. Standing Committee Chairpersons' Report. (Verbal Report)

*Written reports are in the packet.*

5.1.D. Policy Advisory Board Chairpersons' Report. (Verbal Report)

*Written Report*

#### 5.2. General Manager Report. (Verbal Report)

5.2.A. INFORMATION ITEM - Receive Government Affairs Update.

*Government Affairs Report, Ridership, and Security stats will be in the packet.*

#### 5.3. Chairperson's Report. (Verbal Report)

**6. CONSENT AGENDA**

10 mins, END AT 6:45 PM

- 6.1. ACTION ITEM - Adopt the Project Sponsor resolution for the State Route 17 Wildlife Crossing.
- 6.2. ACTION ITEM - Review and accept the Fiscal Year 2022 Statement of Revenues and Expenses for the period ending December 31, 2021.

**CONGESTION MANAGEMENT PROGRAM & PLANNING (CMPP) COMMITTEE**

- 6.3. ACTION ITEM - Authorize the General Manager to execute the Bay Area Express Lanes Network Executive Steering Committee Memorandum of Understanding with Bay Area agencies to more formally identify their roles and responsibilities as express lanes owners and operators.
- 6.4. ACTION ITEM - Authorize the General Manager to waive the SR 237 Express Lanes violation penalties assessed during calendar year 2020 that remain unpaid and were not sent to the Department of Motor Vehicles for vehicle registration hold as a result of COVID impacts on the express lanes back office administrator, the Bay Area Toll Authority (BATA).
- 6.5. ACTION ITEM - Adopt the update to the Bicycle Parking Chapter of the Bicycle Technical Guidelines.
- 6.6. INFORMATION ITEM - Receive the 2021 Annual Transportation Systems Monitoring Program report and presentation.
- 6.7. INFORMATION ITEM - Receive an update on 2016 Measure B Bicycle & Pedestrian Education & Encouragement program progress in FY2021.
- 6.8. INFORMATION ITEM - Receive the Programmed Projects Quarterly Monitoring Report for October - December 2021.

**SAFETY, SECURITY, AND TRANSIT PLANNING & OPERATIONS (SSTP&O) COMMITTEE**

*There were no items submitted for the Consent Agenda from the Safety, Security, and Transit Planning & Operations Committee.*

**GOVERNANCE AND AUDIT (G&A) COMMITTEE**

- 6.9. INFORMATION ITEM – Receive the Auditor General’s summary report on VTA Ethics Hotline usage for the period of October to December 2021 and 2021 Annual Report.

---

<b>BOARD OF DIRECTORS</b>
---------------------------

- 6.10.** ACTION ITEM – Approve the regular meeting minutes of February 3, 2022.
- 6.11.** ACTION ITEM – Adopt a subsequent Resolution authorizing the Santa Clara Valley Transportation Authority (VTA) Board of Directors and all standing, advisory, policy, oversight, steering, and inter-agency committees and subcommittees of the Board to continue to meet by remote teleconference, subject to the requirements of Assembly Bill 361 (Rivas).
- 6.12.** INFORMATION ITEM – Receive unapproved Minutes/Summary Reports from VTA Committees, Joint Powers Boards (JPB), and Regional Commissions.

---

**7. CLOSED SESSION**

*15 mins, END AT 7 PM*

**7.1. Recess to Closed Session**

**D.X.X. Conference with Labor Negotiators**

(Government Code Section 54957.6)

VTA Designated Representatives

Carolyn Gonot, General Manager/CEO

Jaye Bailey, Interim Chief People Officer

Greg Richardson, Chief Financial Officer

Employee Organizations

Service Employees International Unions (SEIU) Local 521

**7.2. Reconvene to Open Session**

**7.3. Closed Session Report**

---

**8. REGULAR AGENDA**

*2 hours 20 mins, END AT 9:20 PM*

- 8.1.** ACTION ITEM - Approve and formally adopt a successor labor agreement negotiated between Santa Clara Valley Transportation Authority (VTA) and Service Employees International Unions (SEIU) Local 521.

*Jaye Bailey will present.*

*Staff Presentation: 5 minutes*

- 8.7.** INFORMATION ITEM – Receive Van Scoyoc Associates, Washington Government Affairs Representatives. (Verbal Report)

Steve Palmer will present.  
Presentation: 10 minutes

<b>ADMINISTRATION AND FINANCE (A&amp;F) COMMITTEE</b>
---

- 8.2.** ACTION ITEM - Authorize the General Manager to procure up to 109 Class P Van Promaster 3500 vehicles and associated equipment in an amount up to \$14,170,000 for Paratransit services. Procurement of the aforementioned vehicles will use the State of California purchasing contract for Paratransit vehicles and associated equipment and services.

Erik Zandhuis will present.  
Presentation: 10 minutes

- 8.3.** ACTION ITEM - Authorize the General Manager to issue a Request for Offers (RFO) for the Winchester Transit Center Affordable Housing Transit-Oriented Development (TOD) project in conjunction with the Santa Clara County Office of Supportive Housing (OSH) pursuant to the Santa Clara Valley Transportation Authority (VTA) and OSH Cost Sharing Agreement for County Measure A-Funded Affordable Housing TOD.

Josselyn Hazen will present.  
Presentation: 10 minutes

- 8.4.** ACTION ITEM - Authorize the General Manager to enter into an Exclusive Negotiations Agreement (ENA) with MidPen Housing for a term of twenty-four (24) months with two six (6) month extensions for negotiation of the proposed terms and conditions of a long-term ground lease for a Transit-Oriented Development project at the Capitol Light Rail Station property.

If agreement cannot be reached with MidPen Housing during the ENA term, authorize the General Manager to enter into an ENA with Related California.

Jessie O'Malley-Solis will present.  
Presentation: 10 minutes



- 8.5.** INFORMATION ITEM - Receive a presentation on VTA's Bart Silicon Valley Phase II Extension Project's Disadvantaged Business Enterprise (DBE). (Verbal Report) (Drennan)

Sunny Drennan will present.  
Presentation: 10 minutes

**CONGESTION MANAGEMENT PROGRAM & PLANNING (CMPP) COMMITTEE**

*There were no items submitted for the Regular Agenda from the Congestion Management Program and Planning Committee.*

**SAFETY, SECURITY, AND TRANSIT PLANNING & OPERATIONS (SSTP&O) COMMITTEE**

*There were no items submitted for the Regular Agenda from the Safety, Security, and Transit Planning & Operations Committee.*

**GOVERNANCE AND AUDIT (G&A) COMMITTEE**

*There were no items submitted for the Regular Agenda from the Governance and Audit Committee.*

**BOARD OF DIRECTORS**

- 8.6.** INFORMATION ITEM - Receive Silicon Valley Rapid Transit (SVRT) Program Update. (Verbal Report)

Bernice Alaniz and Takis Salpeas will present.  
Presentation: 10 minutes

- 8.8.** INFORMATION ITEM – Receive an update from SB 129 Joint Labor-Management Committee. (Verbal Report)

Brandi Childress will present.  
Presentation: 3 minutes

**9. OTHER ITEMS**

10 mins, END AT 9:30 PM

---

- 9.1. ITEMS OF CONCERN AND REFERRAL TO ADMINISTRATION
- 9.2. Announcements
- 9.3. Public Comment (Continued)

This portion of the meeting is reserved for persons who had requested but were not able to address the Board of Directors under Item #3 due to the time limit and for those individuals who would like to address the Board on agenda items under “Other Items.” **Speakers are limited to 1 minute.** The law does not permit Board action or extended discussion of any item not on the agenda except under special circumstances. If Board action is requested, the matter can be placed on a subsequent agenda. All statements that require a response will be referred to staff for reply in writing.

**7. CLOSED SESSION (continued)**

60 mins, END AT 10:30 PM

---

**7.1. Recess to Closed Session**

- A. Conference with Labor Negotiators  
(Government Code Section 54957.6)

VTA Designated Representatives

Carolyn Gonot, General Manager/CEO  
Jaye Bailey, Interim Chief People Officer  
Greg Richardson, Chief Financial Officer

Employee Organizations

Amalgamated Transit Union (ATU), Local 265  
American Federation of State, County, and Municipal Employees (AFSCME)  
Local 101  
Service Employees International Unions (SEIU) Local 521  
Transportation Authority Engineers and Architects Association (TAEA) Local 21

- B. Conference with Real Property Negotiators  
[Government Code Section 54956.8]

Property: Portion of VTA North Division Bus Yard at 1235 La Avenida Street, Mountain View, CA 94040, also known as APN 116-16-073

Agency Negotiator: Ron Golem, Director, Real Estate & Transit-Oriented Development

Negotiating Parties: Angela LaMonica, Real Property Program Administrator, City of Mountain View

Under Negotiation: Terms and conditions for conveyance of easements

**C. Conference with Legal Counsel - Existing Litigation**  
[Government Code Section 54956.9(d)(1)]

Name of Case: Santa Clara Valley Transportation Authority v. Brannon Tire aka  
Fleet Tire, Inc.  
(Santa Clara County Superior Court Case No. 20-CV-369434)

~~**D. Conference with Legal Counsel – Anticipated Litigation**~~ **DEFERRED**  
~~[Government Code Section 54956.9(d)(2)]~~

~~Significant Exposure to Litigation: Multiple Cases related to May 26, 2021,  
incident~~

**D.X. Conference with Legal Counsel – Anticipated Litigation**  
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of  
Section 54956.9

Number of Case: 1

**7.2. Reconvene to Open Session**

**7.3. Closed Session Report**

**10. ADJOURN in memory of Mike Evanhoe 10:31 PM**

---

**From:** VTA Board Secretary  
**Sent:** Friday, March 4, 2022 12:00 PM  
**To:** VTA Board of Directors  
**Cc:** VTA Board Secretary  
**Subject:** VTA Information: Ridership for January 2022

**VTA Board of Directors:**

Attached is a memorandum from Chief Operating Officer David Hill regarding VTA ridership for January 2022.

Thank you.

Office of the Board Secretary  
Santa Clara Valley Transportation Authority  
3331 N. First Street  
San Jose, CA 95134  
408.321.5680  
[board.secretary@vta.org](mailto:board.secretary@vta.org)



Date: March 1, 2022  
Current Meeting: NA  
Board Meeting: March 3, 2022

## BOARD MEMORANDUM

**TO:** Santa Clara Valley Transportation Authority  
Board of Directors

**THROUGH:** Carolyn Gonot, General Manager/CEO

**FROM:** David Hill, Chief Operating Officer

**SUBJECT:** VTA Ridership – January 2022

---

**Policy-Related Action:** NA

**Government Code Section 84308 Applies:** No

## INFORMATION ITEM

### **EXECUTIVE SUMMARY:**

To present the bus and light rail ridership performance of the Santa Clara Valley Transportation Authority.

### **STRATEGIC PLAN/GOALS:**

The report is an information item only.

### **BACKGROUND:**

This report is routinely produced after each month. This report is for the month of January 2022.

### **CLIMATE IMPACT:**

The report is an information item and will have no impacts to climate change.

### **DISCUSSION:**

January 2022 total monthly system ridership was 1,398,908, an increase of 64.2% over January 2021. January 2022 total monthly bus ridership was 1,187,019, an increase of 76.9% over January 2021. January 2022 total monthly light rail ridership was 211,889, an increase of 17.0% over January 2021. January 2022 recorded an overall ridership increase of 1.5% over December 2021.

There was one 49ers' game at the Levi's Stadium in January 2022 that recorded about 13,100 riders.

System ridership is approximately 50% less compared to pre-pandemic levels.

Ridership	January- 2022	Compared to:			
		January -2021	Percent Change	December -2021	Percent Change
Bus	1,187,019	671,035	76.9%	1,160,340	2.3%
Light Rail	211,889	181,104	17.0%	218,006	-2.8%
System	1,398,908	852,139	64.2%	1,378,346	1.5%

The boardings per total hour and boardings per revenue hour for January are shown in the table below:

	Boardings per Total hour <sup>1</sup>			Boardings per Revenue hour <sup>2</sup>		
	Jan '22	Jan'21	Percent Change	Jan'22	Jan'21	Percent Change
Bus	10.5	7.4	41.6%	11.1	7.9	41.2%
Light Rail	19.5	16.5	18.2%	20.8	17.7	17.5%

<sup>1</sup> Total hours – Includes revenue hours and deadhead hours (hours that a vehicle travels when out of revenue service).

<sup>2</sup> Revenue hours - Scheduled hours of service available to passengers for transport on the routes. Includes recovery/layover time.

**From:** Baltao, Elaine  
**Sent:** Friday, March 4, 2022 1:26 PM  
**To:** VTA Board Secretary  
**Cc:** Hill, David; Zandhuis, Erik  
**Subject:** Responses to the Paratransit Fleet Procurement

**VTA Board of Directors:**

We are sharing with you the staff responses to the questions raised by the A&F Committee regarding the paratransit fleet procurement, which the board approved last night.

-----  
**Staff Responses to A&F Committee questions regarding Paratransit Fleet Purchase**

At the February 17, 2022, meeting of the Administration and Finance Committee, members posed questions regarding the item on paratransit fleet purchase. Here are the staff responses to those questions.

- 1. USB for Seat Mount:** USB will be built into the seat from Freedman seat Manufacturer and vehicles will be ordered with this seat type.
- 2. Air Filtration:** HEPA Filtration System will be added to purchase, the HEPA filter eliminates 99.9% of the germs / virus and pollen.
- 3. Wi/Fi System:** Due to the short distance of the Paratransit trips, and not one passenger has requested that VTA add a Wi-Fi system. Most passengers are using their phones and not iPads.
- 4. Charge Station for Wheelchairs:** This is not available as the conversion manufacture is unable to install the required inverter (due to the limited space in engine compartment).
- 5. EMS button for driver** – this is already available to drivers through the iPad system. This provides that the driver can communicate directly to the Paratransit Dispatcher in case of an emergency.
- 6. Vehicle disposal** - Since FTA funds were used, FTA process must be followed. The vehicles are auctioned, and the proceeds go into VTA's Transit Enterprise fund, where they are used for any eligible purpose, including operations.
7. Vehicles are already visible when on route, Trapeze software that is used to manage the service provides that Dispatchers can see the current location of each vehicle in service.
8. At this time **there are no Paratransit EV vehicles being built and are available for sale.**

## **Staff Responses to A&F Committee questions regarding Paratransit Fleet Purchase**

**March 1, 2022**

At the February 17, 2022, meeting of the Administration and Finance Committee, members posed questions regarding the item on paratransit fleet purchase. Here are the staff responses to those questions.

1. USB for Seat Mount: USB will be built into the seat from Freedman seat Manufacturer and vehicles will be ordered with this seat type.
2. Air Filtration: HEPA Filtration System will be added to purchase, the HEPA filter eliminates 99.9% of the germs / virus and pollen.
3. Wi/Fi System: Due to the short distance of the Paratransit trips, and not one passenger has requested that VTA add a Wi-Fi system. Most passengers are using their phones and not iPads.
4. Charge Station for Wheelchairs: This is not available as the conversion manufacture is unable to install the required inverter (due to the limited space in engine compartment).
5. EMS button for driver – this is already available to drivers through the iPad system. This provides that the driver can communicate directly to the Paratransit Dispatcher in case of an emergency.
6. Vehicle disposal - Since FTA funds were used, FTA process must be followed. The vehicles are auctioned, and the proceeds go into VTA's Transit Enterprise fund, where they are used for any eligible purpose, including operations.
7. Vehicles are already visible when on route, Trapeze software that is used to manage the service provides that Dispatchers can see the current location of each vehicle in service.
8. At this time there are no Paratransit EV vehicles being built and are available for sale.



**From:** VTA Board Secretary  
**Sent:** Friday, March 4, 2022 5:51 PM  
**To:** VTA Board of Directors  
**Cc:** VTA Board Secretary  
**Subject:** VTA Correspondence: Re: Infrastructure Investment and Jobs Act

**VTA Board of Directors:**

We are forwarding you the following:

<b>From</b>	<b>Topic</b>
Anna Eshoo, Member of Congress	Infrastructure Investment and Jobs Act, a bipartisan infrastructure law

Thank you.

Office of the Board Secretary  
Santa Clara Valley Transportation Authority  
3331 N. First Street  
San Jose, CA 95134  
408.321.5680  
[board.secretary@vta.org](mailto:board.secretary@vta.org)



Conserve paper. Think before you print.



*Congress of the United States  
House of Representatives  
Washington, D.C. 20515*

*Anna G. Eshoo  
Eighteenth District  
California*

February 3, 2022

The Honorable Chappie Jones, Board Chair  
Santa Clara Valley Transportation Authority  
3331 N. First Street  
San Jose, California 95134

Dear Chair Jones,

On November 15<sup>th</sup> President Biden signed the Infrastructure Investment and Jobs Act, a bipartisan infrastructure law that makes the largest investment in our nation's physical infrastructure since the building of the Interstate Highway System in the 1950s. The law provides funding through more than 375 distinct programs of which 125 are newly created, and the Bay Area is well positioned to compete for \$140 billion in discretionary grants for roads, bridges, public transportation, water infrastructure, ports, electric buses, airports, and more.

To help local communities navigate the law's numerous funding opportunities, I'm pleased to share with you the White House's *Guidebook to the Bipartisan Infrastructure Law*. This document provides important information about which federal programs your projects may be eligible for, contact information for relevant federal agencies, and timelines for distributing funds where available. You can find the guidebook and a searchable online database of each funding opportunity at [build.gov](https://www.build.gov).

The historic bipartisan infrastructure law will help modernize our nation's infrastructure to reduce traffic, grow our economy, create jobs, and cut greenhouse gas emissions, and I'm committed to delivering the benefits of this law to my constituents. I hope the Guidebook is helpful to you, and know that I stand ready to support your applications for discretionary grants. Should you have any questions, you can contact Eric Henshall in my Washington, D.C. office at (202) 225-8104.

All my best,

Anna G. Eshoo  
Member of Congress

cc: Members, Santa Clara Valley Transportation Authority Board of Directors

the United States  
Representatives  
D.C. 20515

  
M.C.

The Honorable Chappie Jones, Board Chair  
Santa Clara Valley Transportation Authority  
3331 N. First Street  
San Jose, California 95134

95134#2096 0002

