

From: VTA Board Secretary
Sent: Monday, October 30, 2023 4:52 PM
To: VTA Board of Directors; VTA Advisory Committee Members
Subject: VTA Information: New transit service Gilroy to Salinas

VTA Board of Directors and Advisory Committee Member:

We are sharing the news release below from our Public Information Office.

Thank you.

Office of the Board Secretary
Santa Clara Valley Transportation Authority
3331 N. First St., Bldg. B
San Jose, CA 95134
Phone [408-321-5680](tel:408-321-5680)



Contact: VTA Media Relations
Media.Relations@VTA.org
408-464-7810
OR
Ikuyo Yoneda-Lopez
Monterey-Salinas Transit
831-264-5880

October 30, 2023

**Public Transit Connection Returns
Between Santa Clara County and Monterey County**

SAN JOSE, CA – Bus service between Santa Clara County and Monterey County kicked off with twin county events Monday, October 30, 2023. Public transit will reconnect passengers between Santa Clara County and Monterey County, with the start of **Bus Line 59** running between VTA’s Gilroy Transit Center and Salinas Intermodal Transit Center/AMTRAK. **Four weekday roundtrips launched with a ribbon cutting ceremony at the Salinas Transit Center at 8 a.m., then a news conference at the Gilroy Transit Center, 7250 Monterey Hwy, Gilroy, at 10:30 a.m.**

The restored service, which was suspended in 2020 due to the COVID-19 pandemic, is restarting with a funding partnership between Monterey-Salinas Transit (MST) and The Santa Clara Valley Transportation Authority (VTA.)

“MST Line 59 offers an affordable, dependable, and planet friendly option for the community we serve to connect with the people, places, and opportunities that are important to them,” said Carl Sedoryk, MST General Manager/CEO.

It will provide Monterey County residents with an option to reach Gilroy, San Jose, the San Francisco Bay area, Hollister and beyond through connections on VTA, Caltrain, and San Benito Express. Visitors from the north can reach Salinas, the Monterey Peninsula, South Monterey County, and Paso Robles by connecting to MST in Gilroy. Once in Gilroy, passengers have multiple connection options to continue travelling north, including VTA’s Rapid 568 and 68 bus lines, and Caltrain service to San Jose and San Francisco.

“This transit service is a vital connector for thousands who rely on public transit in our communities,” said Greg Richardson, VTA Assistant General Manager and Chief Financial Officer. “VTA is proud to be able to contribute to the restoration and innovation throughout the communities it serves”.

Caltrain recently added a fourth roundtrip between Gilroy and points north.

“With the restoration of MST Line 59, it represents a tighter connection with VTA and Caltrain to the greater Bay Area and our regional economy,” said San Jose City Councilmember Dev Davis, Caltrain’s Vice Chair and a VTA Board Member.

Gilroy Mayor Marie Blankley, a strong advocate for increased transit service in south Santa Clara County said “This service is so important to continue to build up options for transit, as Gilroy continues to attract residents looking for more affordable housing. The need for mobility options has never been greater.”

Congresswoman Zoe Lofgren, who represents parts of Santa Clara, Monterey, and Santa Cruz counties and all of San Benito County, also attended the launch event. “I work every day to connect the four counties I serve and ensure people have access to jobs, education, healthcare, family, friends, local businesses, and social and recreational activities,” Lofgren said. Public transit is key – it connects our communities and community members, reduces congestion on roads, and protects the environment by reducing greenhouse gas emissions. Having this new bus line is good news all around, and I will keep fighting for more and improved local public transit options.”

Speaker of the California Assembly Robert Rivas also attended the launch praising the new service as a vital option for mobility.

“Certainly, what we need in all parts of California is reliable and affordable public transit solutions,” said Rivas, who represents District 29, including parts of Monterey, San Benito, Santa Clara, Santa Cruz Counties. “(This new bus line) is something that ties our region together,” Rivas said.

The news conference was [streamed on Facebook Live](#).

About VTA

Santa Clara Valley Transportation Authority (VTA) is an independent special district that is responsible for bus, light rail and paratransit operations, transportation planning, and serves as the county’s congestion management agency.

About MST

Monterey–Salinas Transit is the public transit system for Monterey County, California. Service is primarily to the greater Monterey and Salinas areas but extends as far south as Paso Robles and Big Sur and as far north as Watsonville.

From: VTA Board Secretary
Sent: Tuesday, October 31, 2023 5:25 PM
To: VTA Board of Directors
Cc: VTA Board Secretary
Subject: VTA Information: Ridership for September 2023

VTA Board of Directors:

Attached is a memorandum from Derik Calhoun, Chief Operating Officer, regarding VTA ridership for September 2023.

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



Date: October 26, 2023
Current Meeting: NA
Board Meeting: November 2, 2023

BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
Board of Directors

THROUGH: Carolyn Gonot, General Manager/CEO

FROM: Derik Calhoun, Chief Operating Officer

SUBJECT: VTA Ridership – September 2023

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 September 2023.

CLIMATE IMPACT:

The report is an information item and will have no impact on climate change.

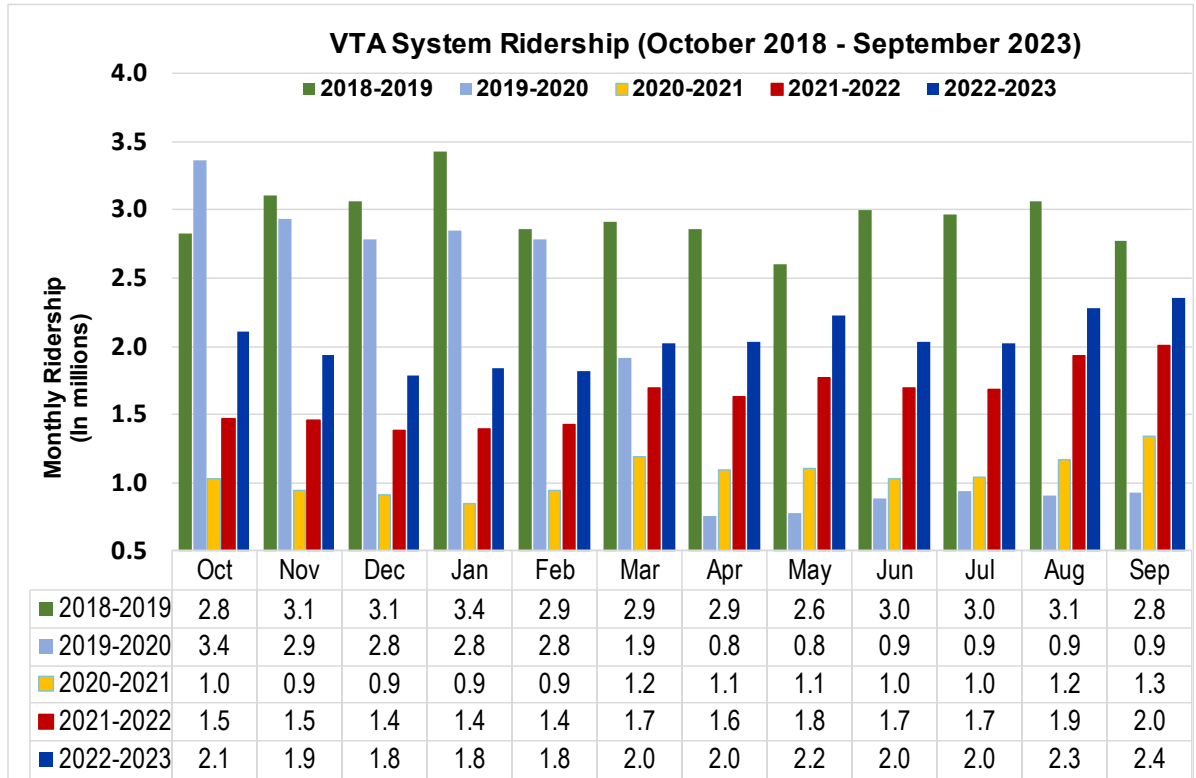
DISCUSSION:

September 2023 total monthly system ridership was 2,350,696, an increase of 17% over September 2022. The total monthly bus ridership was 1,954,195, an increase of 17.5% over September 2022. Bus ridership is typically more than 80% of the total ridership. The total monthly light rail ridership in September 2023 was 396,501, an increase of 15% over September 2022. September 2023 monthly system ridership increased by 3.2% compared to August 2023. The system ridership (bus and light rail) in the calendar year through September 2023 is about 29% less compared to a similar period prior to the pandemic.

Levi's Events: There were two major events at Levi's stadium in September 2023. The Ed Sheeran concert recorded approximately 20,300 riders. There was also a 49ers pre-season football game against the New York Giants.

Ridership	Sep-23	Compared to:				CYTD				
		Sep-22	Percent change	Aug-23	Percent change	Current 2023	Prior 2022	Percent change	Pre-Pandemic 2019	Percent change
						Jan-Sep	Jan-Sep		Jan-Sep	
Bus	1,954,195	1,663,676	17.5%	1,854,601	5.4%	15,322,169	12,694,544	20.7%	19,986,439	-23.3%
Light Rail	396,501	344,739	15.0%	424,144	-6.5%	3,299,449	2,500,940	31.9%	6,219,621	-47.0%
System	2,350,696	2,008,415	17.0%	2,278,745	3.2%	18,621,618	15,195,484	22.5%	26,206,060	-28.9%

The system ridership (Bus and light rail) in millions from October 2018 through September 2023 is presented in the chart below:



Note: Pre-pandemic data reflected in the chart for the months of October 2018 through February 2020 and a few days in March 2020. Mid-March 2020 onwards had impacts from COVID-19.

The boardings per total hour and boardings per revenue hour for bus and rail for September 2023 are shown in the table below:

	Boardings per Total hour ¹			Boardings per Revenue hour ²		
	September 2023	September 2022	Percent Change	September 2023	September 2022	Percent Change
Bus	17.3	15.0	15.3%	18.4	16.0	15.3%
Light Rail	30.7	31.2	-1.6%	32.8	33.3	-1.5%

Total hours – Includes revenue hours and deadhead hours (hours that a vehicle travels when out of revenue service). ² Revenue hours - Scheduled hours of service available to passengers for transport on the routes. Includes recovery/layover time.

Note: Service hours increased significantly by 17% in September for Light Rail causing a decrease in Boardings per hour (both total and revenue).

From: VTA Board Secretary
Sent: Thursday, November 2, 2023 9:31 AM
To: VTA Board of Directors
Cc: Chapman, Nicole; Gonot, Carolyn; Richardson, Greg
Subject: Response to Contractor Accountability Process Referral

VTA Board of Directors:

Please see attached response from staff regarding the contractor accountability process referral. The original referral is attached for your reference.

Thank you.

Santa Clara Valley Transportation Authority
3331 North First Street,
San Jose, CA 95134-1927



TO: Santa Clara Valley Transportation Authority Board of Directors

FROM: Vice Chair Cindy Chavez

DATE: Thursday, October 5, 2023

SUBJECT: Referral to Administration- Contractor Accountability Process

Policy-Related Action: No

Government Code Section 84308 Applies: No

ACTION ITEM

RECOMMENDATION:

Direct administration to provide a detailed report within 30 days outlining the processes and procedures VTA follows to hold contractors accountable for their interactions with subcontractors.

DISCUSSION:

Transparency and oversight of the way VTA holds contractors accountable for their engagement with subcontractors is crucial to guaranteeing that all parties involved in VTA projects adhere to the rules, regulations, and best practices set forth in their contractual agreements.

The purpose for this request is to understand the following aspects of VTA's contractor accountability process:

- **Contractual Agreements:** How VTA ensures that contractual obligations for subcontractors are clearly communicated and enforced.
- **Monitoring and Auditing:** The procedures VTA employs to monitor and audit its contractors' interactions with subcontractors, including the frequency of audits, and what specific metrics or criteria are used to assess compliance.
- **Non-Compliance Remediation:** The steps VTA takes when contractors are found to be in violation of rules related to subcontractor management, and the measures in place to rectify non-compliance and prevent future occurrences.
- **Reporting Mechanisms:** How VTA ensures that subcontractors have a channel to report any concerns or issues related to their dealings with contractors, including how these reports are investigated, and what actions are taken in response to substantiated claims.
- **Continuous Improvement:** VTA's efforts to continually improve its contractor accountability processes.

Date: October 27, 2023

Memo to: The Board of Directors
Santa Clara Valley Transportation Authority

Through: Carolyn Gonot, General Manager/CFO

From: Remi Awosanya, Contracts Compliance Manager
Nicole Chapman, Director of Procurement

Re: Referral to Administration - Contractor Accountability Process

In the Board of Director's Referral dated October 5, 2023 ("Subject: Referral to Administration - Contractor Accountability Process"), the Board directed VTA staff to "provide a detailed report within 30 days outlining the processes and procedures VTA follows to hold contractors accountable for their interactions with subcontractors."

The following responds to each of the Board's questions. The Board's questions are in bold and italics:

1. Contractual Agreements: How VTA ensures that contractual obligations for subcontractors are clearly communicated and enforced.

In recent years, we have undertaken efforts to improve our procurement contract documents by including more specific enforcement language relating to subcontractors, as follows:

- 1) Timely Payments to Subcontractors:** Our contracts now allow VTA to withhold 10% of the monthly progress payment or \$10,000, whichever is greater, if the contractor has not made timely payments to subcontractors. VTA monitors prompt payment to subcontractors through our compliance software, B2GNow.
- 2) Prevailing Wage Adherence:** As a part of VTA's enforcement, the contract language holds the contractor responsible for prevailing wage compliance for work performed under the contract, whether self-performed or through subcontractors.
- 3) Retention Release:** Our contract documents now mandate the release of subcontractor retention upon the completion of the subcontractor's work (as opposed to completion of the project).
- 4) Approval for Subcontractor Releases:** Prime contractors are now required to obtain VTA's approval before releasing subcontractors. This approval allows VTA to ensure that subcontractors have fulfilled their obligations and to prevent premature releases.

Additionally, our strengthened contract documents include a structured communication plan, which includes: a mandatory pre-construction meeting with both the prime contractor and subcontractors, where VTA Offices of Business Diversity and Labor Compliance discuss the

requirements of the contract, including invoice payment requirements, attainment of DBE/SBE goal, certified payroll upload requirements and utilization of B2GNow and prompt payment; weekly construction coordination meetings with the prime and subcontractors; and a communication protocol for the subcontractor. This is to promote efficient sharing of information among all project stakeholders, including subcontractors. This approach facilitates dissemination of project-related information, with the goal of fostering collaboration between contractors and their subcontractors.

2. *Monitoring and auditing: The procedures VTA employs to monitor and audit its contractor interactions with subcontractors, including frequency of audits, and what specific metrics or criteria are used to assess compliance.*

- 1) **Audit of Reporting and Compliance:** Prime contractors are obligated to provide comprehensive monthly reports on their subcontractors' participation, which includes payments made to subcontractors and supporting invoices, receipts, and payment records. VTA audits are done by VTA's Office of Business Diversity on a monthly basis to ensure that these requirements are satisfied.
- 2) **Auditing (Construction):** "VTA Business Diversity Program Requirements," which is attached as Appendix 9 to VTA contracts, provides that Commercial Useful Function audits will be conducted, through field visits, to verify that wages are in compliance with prevailing wage rates, work performed comports to stated classification, and subcontractors are performing the work stated under the contract.
- 3) **Systematic Corrective Action:** In cases of non-compliance, we have recently developed written procedures for grievances and issuing corrective action plans, which is more fully described in Response 4 below. The newly developed written procedures for grievances relating to or by subcontractors are currently in VTA's formal approval process, which includes review by VTA's legal department and VTA's Policies Review Board.
- 4) **Periodic Reviews:** We conduct monthly reviews of the contractor's DBE program to evaluate its effectiveness. Adjustments to the program and compliance measures are made, as-needed.

3. *Non-Compliance Remediation: The steps VTA takes when contractors are found to be in violation of rules related to subcontractor management, and the measures in place to rectify non-compliance and prevent future occurrences.*

Recently, VTA's Office of Business Diversity developed a well-defined procedure for issuing corrective action plans. Under this procedure, the following steps are taken when contractors are found to be in violation of rules related to subcontractor management:

- 1) **Thorough Assessment:** Upon discovering violations, we conduct a comprehensive assessment to confirm the non-compliance and gather all pertinent information and evidence.

- 2) **Immediate Risk Mitigation:** Depending on the severity of the violation, we take immediate actions to mitigate risks. This may involve suspending work temporarily or initiating emergency safety measures to protect the well-being of all parties involved. We promptly notify the contractor of the violations and the need for corrective action.
- 3) **Clear Communication:** In our communication with the contractor, we provide clear and explicit details regarding the nature of the violations and the potential consequences. This transparency ensures that the contractor fully understands the situation.
- 4) **Subcontract Agreement Review:** We review the subcontract agreement between the contractor and the subcontractor to ensure that the subcontractor's obligations are well-defined. We engage in discussions with the contractor to develop a remediation plan that outlines the steps they will take to rectify the violations and ensure future compliance.
- 5) **Corrective Action Plan:** The remediation plan may necessitate the implementation of specific corrective actions, which can include:
 - Rectifying the violations and addressing any immediate risks.
 - Establishing a new plan for subcontractor management.
 - Conducting training for personnel involved in subcontractor management, emphasizing the importance of compliance with subcontractor management rules.

4. Reporting Mechanisms: How VTA ensures that subcontractors have a channel to report any concerns or issues related to their dealings with contractors, including how these reports are investigated, and what actions are taken in response to substantiated claims.

The newly developed procedure also includes procedures and process for submission of subcontractor grievances, investigation, and actions taken in response to substantiated claims:

- 1) **Clear Reporting Mechanism:** To facilitate effective reporting for subcontractors, VTA has established a dedicated email address and contact number, which is on our OBDP website for subcontractors to write in or call to report any concerns or issues.
- 2) **Designated Contact Person:** VTA's Disadvantaged Business Enterprise Liaison Officer (DBELO) is the designated contact person for any subcontractor grievances.
- 3) **Documented Procedures:** We have developed documented procedures that now clearly outline the process for submitting concerns and how investigations will be conducted.
- 4) **Investigation Process:** Upon receiving a concern, we initiate a formal investigation process. This process involves interviews, document reviews, and fact-finding to determine the validity and severity of the reported issue.

- 5) **Impartiality and Objectivity:** The investigation process is conducted impartially and objectively, free from conflicts of interest.
- 6) **Timely Response:** VTA is committed to providing a timely response to the subcontractor, within 14 days of the receipt of their report and informing them of the expected timeline for resolution.
- 7) **Protection from Retaliation:** Subcontractors are assured that they will be protected from any form of retaliation for reporting concerns.
- 8) **Non-Retaliation Policy:** VTA maintains a non-retaliation policy within the organization, explicitly stating that any form of retaliation against subcontractors who report concerns will not be tolerated.
- 9) **Resolution and Corrective Actions:** Following the investigation, appropriate corrective actions are taken if the reported concern is substantiated. These actions may include contract modifications, penalties, or other measures to address the issue.
- 10) **Record-Keeping:** Detailed records of all reports, investigations, and actions taken are meticulously maintained. This documentation is essential for accountability and compliance purposes.

Our commitment to these procedures ensures that concerns raised by subcontractors are addressed promptly, fairly, and in a manner that upholds the highest standards of integrity and ethical business practices.

5. ***Continuous Improvements: VTA efforts to continually improve its contractor accountability process.***

The new procedures were developed as a part of VTA's efforts to look for opportunities to improve contractor accountability.

VTA's new DBELO is a recent appointment, and the DBELO has registered with several training sessions on DBELO roles and responsibilities.

VTA continues to actively encourage contractors and subcontractors, during construction coordination meetings, to propose and implement initiatives aimed at enhancing project efficiency, safety, and quality.

From: VTA Board Secretary

Sent: Thursday, November 2, 2023 11:47 AM

To: VTA Board of Directors

Subject: VTA Information: Update to the November 2, 2023 Board of Directors Agenda Packet

Board Members:

The November 2, 2023 Board of Directors meeting agenda packet has been updated with the following:

1. **Item #5.1.b** – Policy Advisory Committee Chairperson’s Report (written report)
2. **Item #5.1.c** - Standing Committee Chairpersons' Report (A&F, CPC, CMPP, and SSTPO)
3. **Item #5.1.d** – Policy Advisory Board Chairperson’s Report (EBRC)
4. **Item #5.2** – General Manager Report (presentation, ridership, safety stats)
5. **Item #5.2.a** – VTA’s Anti-Hate Campaign (presentation)
6. **Item #5.2.b** – Bay Pass Pilot Program (presentation)
7. **Item #5.2.c** – Government Affairs Report (presentation)
8. **Item #6.9.a** – Unapproved Minutes/Summary Reports (CPC minutes, SSTPO minutes, revised G&A minutes)
9. **Item #7.3.a** - Zero Emission Bus Program Overview (presentation)
10. **Item #7.3.b** – Light Rail Pilot Vehicle Program (presentation)
11. **Item #7.3.c** - Update on New Guadalupe Yard and Related Facility Master Planning (presentation)
12. **Item #7.4**- Joint Labor Management Committee Update (presentation)

You may find the updated Board of Directors meeting agenda packet [here](#).

Thank you,

Office of the Board Secretary

3331 North First Street

San Jose, CA 95134-1927

Phone [408-321-5680](tel:408-321-5680)

From: VTA Board Secretary

Sent: Thursday, November 2, 2023 2:01 PM

To: VTA Board of Directors

Subject: VTA Information: 2nd Update to the November 2, 2023 Board of Directors Agenda Packet

Board Members:

The November 2, 2023 Board of Directors meeting agenda packet has been updated with the following:

1. **Item #5.2.c** – Government Affair’s Report
2. **Item #6.9** – Caltrain Report

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

Also, please see attached timed agenda.

Thank you,

Office of the Board Secretary

3331 North First Street

San Jose, CA 95134-1927

Phone **408-321-5680**

BOARD OF DIRECTORS MEETING

Thursday, November 2, 2023

5:30 PM

ESTIMATED TIMES:

**5:30 PM– START MEETING
9:00 PM - ADJOURN**

1. CALL TO ORDER AND ROLL CALL *(5 MINS - 5:30 TO 5:35)*

1.1. ROLL CALL

1.2. Orders of the Day

Staff Requests:

- Remove Property ID B4214 owned by Stephen G. Fischer and Jackie P. Chin from Item #4.1. An agreement was reached with the property owner.
- Place on the consent agenda Item #7.2, Resolution to Execute Grant Agreement with the California Wildlife Conservation Board.

NEED MOTION/SECOND

2. AWARDS AND COMMENDATION

None

3. PUBLIC COMMENT *(15 MINS - 5:35 TO 5:50)*

This is for items NOT on the agenda.

1 minute per speaker. Those in person will be heard first then those who are on Zoom.

Total time allotted is up to 30 minutes.

After 30 minutes, those who were unable to address the Board on matters not on the agenda may address the board before adjournment.

4. PUBLIC HEARINGS

(18 MINS; 5:51 TO 6:09 P.M)

4.1 ACTION ITEM - Close Hearing and adopt one (1) Resolution of Necessity determining that the public interest and necessity require the acquisition of real property interests on property located in the City of San José owned by (1) Altavan Enterprise I, LLC, for VTA's BART Silicon Valley Phase II Project.

Property ID/Assessor's Parcel Number/Owner

B4201 (APN No.:261-01-107) owned by Altavan Enterprise I, LLC;

Staff Presentation: 7 minutes

Presenters: Ron Golem, Director of Real Estate & Transit Oriented Development, and Kathy Bradley, Manager, Real Estate & Project Administration

Property owners have 5 minutes to speak; regular public has 1 minute to speak.

NEED MOTION/SECOND. Maker of Motion must read the property ID # into the record.

NEED 2/3 VOTE OR 8 AFFIRMATIVE VOTES

5. REPORTS

(25 mins – 6:05 to 6:30)

5.1. Committee Reports

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

Howard Miller will provide the report.

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

Report in the [packet](#).

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

Report in the [packet](#).

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

Report in the [packet](#).

5.2. General Manager Report. (Verbal Report)

Slides Available [online](#)

Security [online](#)

Preliminary Ridership [online](#)

5.2.A. INFORMATION ITEM – Receive information on VTA’s Anti-Hate Campaign.

5.2.B. INFORMATION ITEM – Receive update on the Bay Pass Pilot program.
[online](#)

5.2.C. INFORMATION ITEM - Receive Government Affairs Update. [online](#)

5.3. Chairperson's Report. (Verbal Report)

6. CONSENT AGENDA

(10 mins - 6:30 to 6:40)

ADMINISTRATION AND FINANCE (A&F) COMMITTEE

6.1. ACTION ITEM – Adopt a resolution supporting VTA’s United Against Hate Week, November 12-18, 2023.

6.2. ACTION ITEM - Authorize the General Manager to execute an amendment to Contract No. S21342 with Deloitte Consulting, LLP for organizational culture and climate transformation consulting services for a period of nine (9) months in the amount of \$720,000. The original contract term is August 30, 2022, through June 30, 2024. This amendment covers the period October 1, 2023, through June 30, 2024.

CONGESTION MANAGEMENT PROGRAM & PLANNING (CMPP) COMMITTEE

6.3. ACTION ITEM – 1) Approve the recommended list of projects to receive \$1.5 million funding from the Vehicle Registration Fee for Intelligent Transportation Systems (VRF-ITS) - Cycle 4 competitive grant program; and 2) approve an increase in the funding amount by \$104,000 in funds from the Vehicle Registration Fee Countywide Program in order to accommodate all the projects.

6.4. INFORMATION ITEM - Receive update and provide feedback on VTA’s Climate Action and Adaptation Plan.

6.5. INFORMATION ITEM - Receive the Silicon Valley Express Lanes Program Fiscal Year 2023 Operations Report.

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

- 6.6. INFORMATION ITEM - Receive a report on the October 30, 2023, Transit Service Changes.
- 6.7. INFORMATION ITEM - Receive an update on the future of light rail.

GOVERNANCE AND AUDIT COMMITTEE

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

BOARD OF DIRECTORS

- 6.8. ACTION ITEM – Approve the Regular Meeting Minutes of October 5, 2023.
- 6.9. INFORMATION ITEM - Receive unapproved Minutes/Summary Reports from VTA Committees, Joint Powers Boards (JPB), and Regional Commissions.
- 6.10. INFORMATION ITEM - Review the proposed 2024 Board of Directors Meeting Schedule.
- 7.2. ACTION ITEM - Adopt a Resolution authorizing the submission of a grant application to the California Wildlife Conservation Board (WCB) for \$3,000,000 for the design phase of the “Beneficial Reuse of BART Silicon Valley Phase II Tunnel Excavated Material in Tidal Marsh Restoration at the Former Salt Production Ponds.

7. REGULAR AGENDA

(1 HOUR AND 40 MINS 6:40 TO 8:20)

- 7.1. ACTION ITEM- Authorize the General Manager/CEO to execute a sole source contract with Knorr Brake Company, LLC in the amount of up to \$23,739,335.35 for the projected five-year contract term with two one-year options, for the purpose of supplying replacement brake parts for the VTA Light Rail Vehicle (LRVs).

Staff Presentation: 3 minutes

Presenter: Jesse Soto, Deputy Director, Transit Maintenance

NEED MOTION/SECOND

7.3 INFORMATION ITEM - Receive updates on the following: ZEB, LRV Pilot Program and Guadalupe Yard Improvement Project.

Public Comment will be taken after ALL the staff presentations.

7.3.A. VTA's Zero-Emission Bus Program (20 mins - 6:50 to 7:10)

Staff Presentation: 10 minutes

Presenter: Adam Burger, Innovative Mobility & ZEB Program Manager

7.3.B. Light Rail Pilot Vehicle Program (25 mins - 7:10 to 7:35)

Staff Presentation: 10 minutes

Presenters: Jason Kim, Senior Transportation Planner
Michael Bates, Ops Mgr, Rail Maintenance and Engineering

7.3.C. Guadalupe Yard Improvement Project (20 mins - 7:35 to 7:55)

Staff Presentation: 10 minutes

Presenter: Ken Ronsse, Deputy Director for Rail and Facilities

INFORMATION ITEM ONLY, no motion needed.

7.4. INFORMATION ITEM- SB 129 Joint Labor Management Committee Update and status of SB129 Grant activities and funds (25 mins - 7:55 – 8:20)

Staff Presentation: 15 minutes

Presenters:

John Pospishek, Bus Operator and Recording Financial Secretary for ATU
Armando Barbosa, Bus Operator, and ATU Executive Board Officer for bus operations.

Haniet Bourshrockn, Technical Project Manager and Chief Steward for SEIU Local 21.

Tammy Dhanota, VTA Chapter Chairperson and Region 1 Vice President for SEIU
Marc Delong, Assistant Transportation Engineer. Marc is also representing TAEA
Jaye Bailey, Chief of Staff.

INFORMATION ITEM ONLY, no motion needed.

8. OTHER ITEMS *(10 mins – 8:20 – 8:30)*

8.1. ITEMS OF CONCERN AND REFERRAL TO ADMINISTRATION

Verbal Update on referrals: Narcan, Procurement, and Respite Locations

8.2. Announcements

8.3. 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.

9. CLOSED SESSION

(30 mins – 8:30-9:00)

Closed Session will be held at Room 157

9.1. RECESS TO CLOSED SESSION

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

Property: 5225 Hellyer Avenue, San Jose, California

Agency Negotiators:

Ron Golem, Director, Real Estate & Transit-Oriented Development
Kathy Bradley, Manager, Real Estate & Project Administration
Brittain Cheney, Senior Vice President, Cushman & Wakefield

Negotiating Parties:

Jack Waldsmith, Director, SFIII Hellyer Holding, LLC
Walt Stephenson, Executive Director, Cushman & Wakefield
Erik Hallgrimson, Vice Chairman, Cushman & Wakefield

Under Negotiation: Price and terms of payment for a commercial office lease

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

Name of Cases: Gil, et al. v. Universal Protection Service, LP et al.
(Santa Clara County Superior Court Case No. 22CV400206) and

Worker's Compensation Claim by Sylvia Gil

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

Name of Cases: Worker's Compensation Claim by:

Dennis Avilucea (WCAB Case No. ADJ15637045)
Kir Bertolet (WCAB Case No. ADJ15161138)
Lisa Bradely (WCAB Case No. ADJ17668906)
Sarah Cambra (WCAB Case No. ADJ15974981)
James Crudup (WCAB Case No. ADJ15665435)
Kelly Delapina (WCAB Case No. ADJ15863956)
Davinder Dhaliwal (WCAB Case No. ADJ16933413)
William Dunning (WCAB Case No. ADJ17147519)
Leticia Gomez (WCAB ADJ16927978)
Henry Gonzales (WCAB ADJ15076647)
Philip Guzman (WCAB ADJ15192191)
Rochelle Hawkins (WCAB ADJ15882109)
Gerald Jacksons (WCAB ADJ17183010)
Jatinder Kaur (WCAB ADJ18031106)
Samuel Montes (WCAB ADJ13417191)
Sally Ng (WCAB ADJ18338344)
Suzanne Palm (WCAB ADJ15945482)
Pedro Silva (WCAB ADJ15143031)
Christopher Watts (WCAB ADJ16962575)

9.2. Reconvene to Open Session

9.3. Closed Session Report

10. ADJOURN (@9 p.m.)
