

From: VTA Board Secretary

Sent: Thursday, February 3, 2022 10:53 AM

To: VTA Board of Directors

Subject: VTA Information: 1st Update to the February 3, 2022 Board Meeting Agenda Packet

VTA Board of Directors:

The VTA Board of Directors agenda packet for the **Thursday, February 3, 2022 meeting** has been updated to include additional information (presentations and/or materials) for the following items:

- **Agenda Item #3** - Public Comment (written public comment)
- **Agenda Item #5.1.C** - Standing Committee Chairpersons' Report (A&F, CMPP, SSTPO reports)
- **Agenda Item #5.2** - General Manager's Report (presentation, ridership, and safety data)
- **Agenda Item #7.2** - Updated 2022 Public Transportation Agency Safety Plan (presentation)
- **Agenda Item #7.5** - Silicon Valley Rapid Transit Program Update (presentation and Board request)
- **Agenda Item #7.7** - Operator Safety (presentation)

You may access the updated February 3, 2022 agenda packet 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, February 3, 2022 2:09 PM

To: VTA Board Secretary

Subject: VTA Information: 2nd Update to the February 3, 2022 Board Meeting Agenda Packet

VTA Board of Directors:

The VTA Board of Directors agenda packet for the **Thursday, February 3, 2022 meeting** has been updated to include additional information (presentations and/or materials) for the following items:

- **Agenda Item #5.2** - General Manager's Report (updated presentation)
- **Agenda Item #5.2.A** - Government Affairs Report (written report)
- **Agenda Item #6.13** - Unapproved Minutes/Summary Reports from VTA Committees, Joint Powers Boards (JPB), and Regional Commissions (Caltrain report)
- **Agenda Item #7.3** - Caltrans District IV Presentation (updated presentation)
- **Agenda Item #7.5** - Silicon Valley Rapid Transit Program Update (letter of support for Board request)

Also, attached is the timed agenda for tonight's meeting.

You may access the updated February 3, 2022 agenda packet 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, February 3, 2021

ESTIMATED TIMES:

5:30 PM – CALL TO ORDER
8:28 PM– CLOSED SESSION
9:27 PM– RESUME OPEN SESSION
9:28 PM – ADJOURN

AGENDA

1. CALL TO ORDER ESTIMATE: 5 MINS (END AT 5:34 PM)

1.1. Administer Oath of Office to newly appointed Member

Sudhanshu "Suds" Jain, Santa Clara Vice Mayor will be sworn in.

1.2. ROLL CALL

Roll call will be called in alphabetical order.

1.3. Orders of the Day

None

2. AWARDS AND COMMENDATION ESTIMATE: 3 MINS (END AT 5:37 PM)

2.1. INFORMATION ITEM - Present Retirement Commendations recognizing Robert Hannibal, Coach Operator, for 35 years of service; Hector Alvarado, Coach Operator, for 31 years of service; Greg Bushner, Light Rail Maintenance Instructor, for 31 years of service; Maurice Beard, Bus Technical Training Supervisor, for 30 years of service; and Glenn Haugen, Upholstery Shop Foreperson, for 26 years of service.

Maurice Beard is expected to attend.

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

3. PUBLIC COMMENT ESTIMATE: 30 MINS (END AT 6:07 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 ESTIMATE: 20 MINS (END AT 6:27 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)

No report.

5.2. General Manager Report. (Verbal Report)

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

PPT, Ridership, and Security stats will be in the packet.

5.3. Chairperson's Report. (Verbal Report)

6. CONSENT AGENDA

ESTIMATE: 10 MINS (END AT 6:37 PM)

ADMINISTRATION AND FINANCE (A&F) COMMITTEE

- 6.1.** ACTION ITEM - Authorize the General Manager to extend Contract S17112 with TriStar Risk Management for Workers' Compensation Third-Party Administration Services, and Contract S17113 with EK Health for Workers' Compensation Managed Care Services, by two (2) years with a new expiration date of June 30, 2024. The amount for the extension of Contract S17112 will not exceed \$2,554,343, resulting in a total contract price of \$7,814,443, and the amount of the extension of Contract S17113 will not exceed \$632,700, resulting in a total contract price of \$2,032,700.

- 6.2.** ACTION ITEM - Authorize the General Manager to execute Contract Amendment 3 with Kimley-Horn and Associates, Inc. for additional work to perform Final Design and Right-of-Way (ROW) services for the US 101/SR 25 Interchange Improvement Project - Phase 1 in the amount of \$1,300,870 for a new total contract amount of \$7,144,936, and to use the new total contract amount of \$7,144,936 to calculate the General Manager's amendment authority under Administrative Code Section 9.2(h) for the project.

- 6.3.** ACTION ITEM - Adopt an Implementing Agency Resolution and authorize the General Manager to execute and submit a Letter of No Prejudice (LONP) request to the Metropolitan Transportation Commission (MTC) for Regional Measure 3 (RM3) funds in the amount of \$130 million for the construction phase of the Eastridge to BART Regional Connector (EBRC) project.

- 6.4.** ACTION ITEM - Authorize the General Manager/CEO to execute a contract amendment with ICF International (S13070) for an amount up to \$3,000,000 to continue providing environmental planning, archaeological testing, and related support services to remain in compliance with environmental clearance requirements as VTA's BART Silicon Valley Phase II Extension Project (BSVII Project) progresses through final design and into construction.

CONGESTION MANAGEMENT PROGRAM & PLANNING (CMPP) COMMITTEE

- 6.5. ACTION ITEM - Adopt a resolution for the FY 2021/22 Countywide Transportation Development Act (TDA) approving \$1,015,022 for Cupertino's Junipero Serra Trail East Segment project.
- 6.6. INFORMATION ITEM - Review the status of projects in the Santa Clara County Transportation Fund for Clean Air County Program Manager Fund.
- 6.7. INFORMATION ITEM - Review the status of ongoing Santa Clara County Vehicle Registration Fee (VRF) activity.

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

- 6.8. ACTION ITEM - Approve the appointment of Emily Lo to serve on the 2016 Measure B Citizens' Oversight Committee in the Municipal/Public Finance Professional representative position to serve in place of the never filled Retired Judge position, per the recommendation of the Evaluation Subcommittee.

BOARD OF DIRECTORS

- 6.9. ACTION ITEM - Adopt the resolution set forth in Attachment A, declaring that, pursuant to the requirements of the California Surplus Lands Act, approximately 6,871 square feet of Santa Clara Valley Transportation Authority (VTA) property as shown on Attachment B, is exempt surplus property under the Surplus Lands Act.
- 6.10. ACTION ITEM - Approve revised appointments to the Congestion Management Program and Planning (CMPP) Committee for 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. ACTION ITEM – Approve the Regular Meeting Minutes of January 6, 2022.
- 6.13. INFORMATION ITEM - Receive unapproved Minutes/Summary Reports from VTA Committees, Joint Powers Boards (JPB), and Regional Commissions

7. REGULAR AGENDA **ESTIMATE: 1 HR 40 MINS (END AT 8:17 PM)**

ADMINISTRATION AND FINANCE (A&F) COMMITTEE

- 7.1.** ACTION ITEM - Adopt a Labor Peace Agreement (LPA) Policy, as set forth in Attachment A of the staff report, for Hospitality Operations on VTA Transit-Oriented Development (TOD) sites as an addition to the existing VTA Transit-Oriented Development Policy (TOD) dated November 22, 2019.

Staff Presentation: 7 mins, Ron Golem will present.

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

- 7.2.** ACTION ITEM - Approve the updated Santa Clara Valley Transportation Authority (VTA) Public Transportation Agency Safety Plan (PTASP). The PTASP documents VTA's processes and activities related to the implementation of a Safety Management System (SMS), in compliance with federal and state regulations.

Staff Presentation: 10 mins, Angelique Gaeta and Susan Lucero will present.

GOVERNANCE AND AUDIT (G&A) COMMITTEE

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

BOARD OF DIRECTORS

- 7.3.** INFORMATION ITEM - Receive a presentation from Dina El-Tawansy, Caltrans District IV Director. (Verbal Report)

Presentation: 10 mins



- 7.4.** INFORMATION ITEM - Receive a report on pandemic-related service restoration.

Staff Presentation: 10 mins, Jay Tyree will present.

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

Staff Presentation: 10 mins, Takis Salpeas will present.

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

Staff Presentation: 5 mins, Brandi Childress will present.

- 7.7. INFORMATION ITEM – Receive a presentation on operator safety. (Verbal Report)

Staff Presentation: 7 mins, Angelique Gaeta and Capt. Cardoza will present.

8. OTHER ITEMS ESTIMATE: 10 MINS (END AT 8:27 PM)

8.1. ITEMS OF CONCERN AND REFERRAL TO ADMINISTRATION

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 ESTIMATE: 60 MINS (END AT 9:27 PM)

9.1. Recess to Closed Session

- A. Conference with Legal Counsel - Anticipated Litigation
[Government Code Section 54956.9(d)(2)]

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

9.2. Reconvene to Open Session

9.3. Closed Session Report

10. ADJOURN @ 9:28 PM

From: VTA Board Secretary
Sent: Friday, February 4, 2022 3:13 PM
To: VTA Board of Directors
Cc: VTA Board Secretary
Subject: VTA Information: Revised 2022 Appointments to the Congestion Management Program & Planning Committee
Importance: High

VTA Board of Directors:

Please see attached Revised 2022 Appointments to the Congestion Management Program & Planning Committee that were approved at the February 3, 2022, VTA Board of Directors meeting.

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: 408-321-5680
E-mail: board.secretary@vta.org



Conserve paper. Think before you print.

Date: January 27, 2022
Current Meeting: February 3, 2022
Board Meeting: February 3, 2022

BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
Board of Directors

THROUGH: N/A

FROM: Board Chairperson, Charles "Chappie" Jones

SUBJECT: Revised 2022 appointment to the Congestion Management Program & Planning Committee

Policy-Related Action: No

Government Code Section 84308 Applies: No

ACTION ITEM

<p>RESULT: APPROVED BY CONSENT VOTE [UNANIMOUS]</p> <p>MOVER: Raul Peralez, Board Member</p> <p>SECONDER: Otto Lee, Board Member</p> <p>AYES: Burt, Carrasco, Chavez, Constantine, Hendricks, Jain, Jimenez, Jones, Lee, Liccardo, Paul, Peralez</p>
--

RECOMMENDATION:

Approve revised appointments to the Congestion Management Program and Planning (CMPP) Committee for 2022.

EXECUTIVE SUMMARY:

- The VTA Board of Directors (Board) approved the committee assignments at their January 6, 2022 regular meeting.
- Recently, there were appointment changes to the VTA Board of Directors from the Northeast and the County of Santa Clara groups.
- Sudhanshu "Suds" Jain was appointed as a Board Member for the Northeast city group. Otto Lee was appointed as a Board Member for the County of Santa Clara County group.

- Because of the appointment changes, it is recommended that Sudhanshu "Suds" Jain and Otto Lee replace the previously approved members on the CMPP committee.

STRATEGIC PLAN/GOALS:

This is an administrative item.

FISCAL IMPACT:

There is no fiscal impact.

BACKGROUND:

The VTA Board approved the 2022 committee appointments at their January 6, 2022, regular meeting. Since then, VTA was notified about the changes to the appointments from the following city groups:

- Northeast City Group

On January 25, 2022, the City of Santa Clara appointed Sudhanshu "Suds" Jain to be their representative to the Northeast City Group. Based on the city group's rotation schedule, Vice Mayor Jain will serve as one of two board members from the Northeast City Group. He replaces Mayor Lisa Gillmor on the VTA Board.

- County of Santa Clara

On January 25, 2022, the County of Santa Clara Board of Supervisors appointed Otto Lee to serve as their city group's regular member to the VTA Board. Supervisor Lee, who used to serve as an alternate board member replaces Supervisor Joe Simitian on the VTA Board.

DISCUSSION:

The change on the committee appointment only applies to the Congestion Management Program and Planning (CMPP) Committee. Vice Mayor Jain will replace Mayor Gillmor and Supervisor Lee will replace Supervisor Simitian on the CMPP.

- Congestion Management Program and Planning (CMPP)

Raul Peralez (Chair)
Sergio Jimenez
Sudhanshu "Suds" Jain
Otto Lee

The appointment will take effect immediately following Board approval.

All other committee appointments that the VTA Board approved on January 6, 2022 remain in effect.

Prepared by: Board Office
Memo No. 8100