

From: VTA Board Secretary

Sent: Monday, January 30, 2023 3:16 PM

To: VTA Board of Directors

Subject: VTA Information: Addendum to the February 2, 2023, Board of Directors Meeting Agenda Packet

Board of Directors:

The VTA Board of Directors Agenda packet for the **Thursday, February 2, 2023, Meeting** has been updated to include the following Addendum:

- **Agenda Item #7.2.X.** 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.

You may view the Addendum to the Agenda by clicking on our website [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: Wednesday, February 1, 2023 8:42 AM
To: VTA Board of Directors; VTA Advisory Committee Members
Cc: Alaniz, Bernice
Subject: From VTA: State Awards Funding for BART Silicon Valley
Importance: High

VTA Board of Directors and Advisory Committee Members:

VTA received a major state award for the BART Silicon Valley Extension Project. Please see below for more information.

For questions on the project, please reach out to Bernice Alaniz, Director of SVRT Business Operations, at 408-888-9983.

Please feel free to share this [blogpost](#) with your constituents/network.

Thank you.



Contact: Bernice
Alaniz

January 31, 2023

VTA Receives Major State Award for BART Silicon Valley Extension

\$375 Million Will Help Secure Federal Funds

SAN JOSE, CA – Today the State of California awarded \$375 million to the Santa Clara Valley Transportation Authority (VTA) for its BART extension into Downtown San Jose and Santa Clara.

This new award brings the state's total commitment through the Transit and Intercity Rail Capital Program (TIRCP) to \$1.125 billion. This infusion of funds is an important step for VTA to qualify for a federal contribution of roughly \$4.6 billion, approximately 50% of the estimated project cost.

"We are grateful for the allocation of TIRCP funds, and we celebrate the other transit agencies whose projects will also benefit from TIRCP resources," said VTA General Manager/CEO Carolyn Gonot. "This award brings VTA \$375 million closer to securing a historic federal investment in Silicon Valley mobility."

In addition to vast mobility and environmental benefits, the investment in the 6-mile, four station extension of the regional BART commuter rail system brings a robust return on investment through stimulating the regional economy with direct and indirect creation of some 75,000 jobs and by increasing the Gross State Product (GSP) through additional spending and wages.

"Increasing transit options and improving mobility for all Santa Clara County and Bay Area residents and employees is a primary objective of the extension of BART service into the heart of Silicon Valley," said San Jose Mayor and VTA Board Member Matt Mahan. " I look forward to working with our state and federal partners to secure the remaining resources need to fulfill the immense promise of this once-in-a-generation infrastructure investment."

The Metropolitan Transportation Commission's (MTC) Plan Bay Area 2040 long range plan identifies the extension of BART service to San Jose and Santa Clara as the number one priority of the region for improving mobility.

The Federal Government has authorized VTA to advance design on the project and begin certain activities. **Early pre-construction activities are planned to start this Spring with major construction beginning next year.**

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.

24 Hr. Media Line: 408-464-7810 (no texts)



From: VTA Board Secretary

Sent: Wednesday, February 1, 2023 2:39 PM

To: VTA Board of Directors

Subject: VTA Information: February 2, 2023 Board of Directors Regular Meeting Agenda Packet Update

Board of Directors:

The VTA Board of Directors Agenda packet for the **Thursday, February 2, 2023 Meeting** has been updated to include additional information (materials, presentations and/or public comment) for the following items:

- **Agenda Item #3** – Public Comment
- **Agenda Item #4.1** – Public Comment
- **Agenda Item #5.2** – January 2023 Ridership and Safety and Security Reports
- **Agenda Item #5.2.B** – Government Affairs Report (Transit Network Management Launch)
- **Agenda Item #5.3.A** – 2023 BOD Member Committee Appointments Staff Report
- **Agenda Item #6.13.B** – Unapproved Minutes/Summary Report – CTMA Minutes
- **Agenda Item #7.2.X** – Updated 2023 Public Transportation Agency Safety Plan Staff Report and Presentation
- **Agenda Item #7.4** - Silicon Valley Rapid Transit (SVRT) Program Update Presentation

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

Thank you,

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: Wednesday, February 1, 2023 3:10 PM

To: VTA Board of Directors

Subject: VTA Information: Board of Directors February 17, 2023 Workshop Meeting Reschedule Notice

Board of Directors:

The Board of Directors February 17, 2023, Workshop Meeting at 9:00 a.m. has been **rescheduled** to Friday, March 3, 2023, at 9:00 a.m. Please find the Reschedule Notice attached and 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**





BOARD OF DIRECTORS WORKSHOP MEETING

Friday, February 17, 2023

RESCHEDULE MEETING NOTICE

NOTICE IS HEREBY GIVEN that the Santa Clara Valley Transportation Authority Board of Directors Workshop meeting scheduled to be held on Friday, February 17, 2023, at 9:00 a.m. has been **rescheduled** to Friday, March 3, 2023, at 9:00 a.m.

Theadora Abraham, Board Assistant
VTA Office of the Board Secretary

From: VTA Board Secretary

Sent: Thursday, February 2, 2023 3:22 PM

To: VTA Board of Directors

Subject: VTA Information: February 2, 2023 Board of Directors Regular Meeting Agenda Packet 3rd Update

Board of Directors:

The VTA Board of Directors Agenda packet for the **Thursday, February 2, 2023 Meeting** has been updated to include additional information (materials, presentations and/or public comment) for the following items:

- **Agenda Item # 5.2.B** – Government Affairs Update
- **Agenda Item # 6.13** – Unapproved Minutes/Summary Reports from VTA Committees (Caltrain Report)

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

Thank you,

Thank you,

Office of the Board Secretary

3331 North First Street

San Jose, CA 95134-1927

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



BOARD OF DIRECTORS MEETING

Thursday, February 2, 2023

5:30 PM

ESTIMATED TIMES:

5:30 – START MEETING AND OATH OF OFFICE

7:25 – RECESS TO CLOSED SESSION

7:40 PM – ADJOURN IN MEMORY OF DANIEL MARQUEZ

1. CALL TO ORDER AND ROLL CALL (5 mins, end @ 5:35)

Please turn on your Zoom mic and video.

1.1. ROLL CALL

1.2. Orders of the Day

- Addendum to Agenda – 7.2.X – Updated Public Transportation Agency Safety Plan (PTASP)
- Revised 5.3.A Staff report
- Staff will request the following:
 - Move Item #4, Public Hearing for Resolutions of Necessity after Item #5.
 - Remove property ID B4046 and B 4051 from Item #4.
 - Move Item #5.2.A, recognition of VTA employees and other individuals after Item #2.1
 - Defer Item #7.2 – Agreement with BART for the Operations Control Center Retrofit. This item will be placed on the next month’s agenda.

2. AWARDS AND COMMENDATION (10 mins, end @ 5:45)

- 2.1. INFORMATION ITEM - Adopt Retirement Commendations recognizing Nick Gonzalez, Facilities Worker for 35 years of service; Moises Garcia, Coach Operator, for 26 years of service; and Kenneth Montano, Coach Operator, for 25 years of service.**

Retirees’ photos will be shown.

5.2.A Recognize VTA Employees for their heroic acts on January 7, 2023.

Carolyn Gonot will introduce Derik Calhoun, COO.

Derik will recognize the employees and other individuals for attempting to save the life of D. Marquez.

3. PUBLIC COMMENT (20 mins, end @ 6:05)

- This is for items NOT on the agenda.

- 1 minute per speaker

- 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.

5. REPORTS (25 mins, end @ 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)

Rob Rennie will provide the report.

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

In the packet.

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

No Report

5.2. General Manager Report. (Verbal Report)

Slides are in the packet.

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

Jim Lawson will provide a brief update.

Written report is in the packet.

Ridership info and security statistics are in the packet.

5.3. Chairperson's Report. (Verbal Report)

Chair Burt will encourage Board Members to tour VTA facilities.

5.3.A. ACTION ITEM - Approve appointments to Board Standing Committees, Joint Powers Boards, Policy Advisory Boards, and Ad Hoc Committees for 2023.

Please refer to the revised 5.3.A online.

4. PUBLIC HEARINGS

(25 mins, end @ 6:55)

- 4.1 ACTION ITEM - Close Hearing and adopt four (4) ~~five (5)~~ Resolutions of Necessity determining that the public interest and necessity require the acquisitions of real property interests on properties located in the City of San Jose owned respectively by (1) Angelo Richard Di Salvo and Mary Di Salvo, Trustees of their Successors in Trust under the Di Salvo Family Trust; (2) Jenny Rutherford; (3) Arena Hotel Investments, Inc., a California corporation; Mill Valley Motel Investments, Inc., a California corporation; Morgan Hill Motel Investments, Inc., a California corporation; and Needles Motel Investments, LLC, a California limited liability company; and (4) The Boccardo Living Trust U/T/A dated February 14, 1995; The Boccardo Living Trust; Evan B. Rees and The James C. Rees Trust dated October 19, 2011. ~~and (5) Abel M. Chadinha and Paula M. Chadinha, Trustees of the Abel M. Chadinha and Paula M. Chadinha Revocable Living Trust for VTA's BART Silicon Valley Phase II Project.~~

VTA reached an agreement with Chadinha, et.al. Therefore that property is being removed from consideration.

Ron Golem will present.

After the presentation for each item, Chair Burt will open the public hearing. Property owners/representatives will have up to 5 minutes to speak. Others will be given 1 minute to speak after all the presentations/owners/representatives speak.

Property ID/Assessor's Parcel Number/Owner

B3303 (APN No.:261-01-074) owned by Angelo Richard Di Salvo and and Mary Di Salvo, Trustees of their Successors in Trust under the Di Salvo Family Trust,
We expect their representative to address the Board. Copy of letter is in the packet.

Property ID/Assessor's Parcel Number/Owner

B3314 (APN No.:261-01-044) owned by Jenny Rutherford,

Property ID/Assessor's Parcel Number/Owner

~~B4046 (APN No.:261-01-007) owned by Arena Hotel Investments, Inc., a California corporation; Mill Valley Motel Investments, Inc., a California corporation; Morgan Hill Motel Investments, Inc., a California corporation; and Needles Motel Investments, LLC, a California limited liability company~~

Property ID/Assessor's Parcel Number/Owner

B4047 (APN No.:261-01-106) owned by The Boccardo Living Trust U/T/A dated February 14, 1995; The Boccardo Living Trust; Evan B. Rees and The James C. Rees Trust dated October 19, 2011,

Property ID/Assessor's Parcel Number/Owner

~~B4051 (APN No.:261-01-062) owned by Abel M. Chadinha and Paula M. Chadinha, Trustees of the Abel M. Chadinha and Paula M. Chadinha Revocable Living Trust.~~

Note: Motion must be approved by at least 2/3 of the Board (8 members).

6. CONSENT AGENDA

(10 mins, end @ 7:05)

Please note any recusals/abstentions before the motion.
Public Comment for Items on consent will be taken here.

ADMINISTRATION AND FINANCE (A&F) COMMITTEE

- 6.1. ACTION ITEM - Authorize the General Manager/CEO to execute a sole source contract with Dellner, Inc. in the amount of \$1,485,000.00 for coupler overhaul parts and services.
- 6.2. ACTION ITEM - Authorize the General Manager/CEO to 1) execute a contract amendment with BKF Engineers to perform Design Support During Construction (DSDC) services for the I-680 Soundwalls project (Project) in the amount of \$250,076 for a total contract value of \$1,554,736, 2) extend the contract term to June 30, 2027, and 3) use the new total contract value to calculate the General Manager's amendment authority under Administrative Code Section 9.2(h).
- 6.3. ACTION ITEM - Authorize the General Manager/CEO to: 1) execute a contract amendment with HMH Engineers to perform final design tasks and to provide design services during construction (DSDC) services for the I-280/Wolfe Road Interchange project (Project) in the amount of \$1,083,000 for a total contract value of \$9,843,557; 2) extend the contract term to December 31, 2027; and 3) use the new total contract value to calculate the General Manager's amendment authority under Administrative Code Section 9.2(h).
- 6.4. ACTION ITEM - Authorize the General Manager/CEO to: 1) execute a contract amendment with HMH Engineers to complete the Project approval/Environmental Documentation (PA/ED) phase for the SR 87/Capitol Expressway Interchange Improvement project in the amount of \$2,666,446 for a total contract value of \$3,248,129, 2) extend the contract term to December 31, 2025, and 3) use the new total contract value to calculate the General Manager's amendment authority under Administrative Code Section 9.2(h).
- 6.5. ACTION ITEM - Increase the contract authority under the existing On-Call General Environmental Engineering Consulting Services contract (S18162) from \$3 million to a new contract authority of \$5 million for execution of contracts by the General Manager/CEO and to use the new total contract authority of \$5 million to calculate the General Manager's 15% amendment authority under Administrative Code Section 9.2(h).
- 6.6. ACTION ITEM - Approve the recommended VRF Countywide Program Cycle 4 for FY23/24.
- 6.7. INFORMATION ITEM - Review the status of projects in the Santa Clara County Transportation Fund for Clean Air County Program Manager Fund.

- 6.8. INFORMATION ITEM - Receive a report on the Use of Automated License Plate Reader Data from BART Parking.
- 6.9. INFORMATION ITEM - Receive a report on the January 16, 2023, Transit Service Changes.

CONGESTION MANAGEMENT PROGRAM & PLANNING (CMPP) COMMITTEE

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

GOVERNANCE AND AUDIT (G&A) COMMITTEE

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

BOARD OF DIRECTORS

- 6.10. ACTION ITEM – Approve the Regular Meeting Minutes of January 12, 2023.
- 6.11. ACTION ITEM – Approve the Workshop Meeting Minutes of January 27, 2023.
- 6.12. 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).
- 6.13. INFORMATION ITEM -Receive unapproved Minutes/Summary Reports from VTA Committees, Joint Powers Boards (JPB), and Regional Commissions.

7. REGULAR AGENDA

(1 hour and 5 mins, end @ 8:10)

ADMINISTRATION AND FINANCE (A&F) COMMITTEE

- 7.1. ACTION ITEM - Declare approximately 11,000 square feet of Santa Clara Valley Transportation Authority (VTA) property, as shown on Attachment A of the staff report, to be surplus property, pursuant to the requirements of the California Surplus Lands Act based on the finding that, exclusive of the existing VTA improvements on a portion of the property, it is not otherwise needed for VTA's light-rail or bus service or any other VTA activities, and the General Manager is authorized to dispose of the property pursuant to the requirements of the Surplus Land Act.

Ron Golem will provide the presentation.

Staff Presentation: 7 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

- 7.2. **DEFERRED TO THE MARCH 2023 MEETING** ACTION ITEM – ~~Authorize the General Manager/CEO to execute an agreement between VTA and the Bay Area Rapid Transit (BART) District for the retrofit of BART's existing Operations Control Center (OCC Retrofit), with VTA contributing a lumpsum amount of \$26.4 million.~~

- 7.2.X. 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.

Aston Greene and Susan Lucero will provide the presentation.

Staff Presentation: 8 minutes

- 7.3 INFORMATION ITEM - Receive SB 129 Joint Labor Management Committee Update. (Verbal Report)

Steve Jovel and Tammy Dhanota will provide the presentation.

Staff Presentation: 5 minutes

- 7.4. INFORMATION ITEM - Receive an update on VTA's BART Silicon Valley Phase II Extension Project. (Verbal Report)

Gary Griggs and Bernice will provide the presentation.

Staff Presentation: 15 minutes

8. OTHER ITEMS (5 mins, end @ 8:15)

- 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 (1 hour end @ 9:15)

- 9.1. **Recess to Closed Session**

- A. Threat to Public Services or Facilities
[Government Code Section 54957(a)]

Consultation with the following staff:
Aston Greene, System Safety & Security Chief
Rich Bertalan, Technology Deputy Director

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

Property: Portion of vacant lot adjacent to Berryessa/North San Jose BART Station, located at 1565 Mabury Road, San Jose, CA, also known as APN 254-17-113.

Agency Negotiators: Ron Golem, Director, Real Estate & Transit-Oriented Development, and Jessie O'Malley Solis, Transit-Oriented Development Program Manager

Negotiating Parties: Jimmy Silverwood, President, Affirmed Housing, and Rob Wilkins, Vice President, Northern California, Affirmed Housing

Under Negotiation: Price and terms of payment of Lease Option Agreement for development of 100% affordable housing at Berryessa/ North San Jose BART Station

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

Name of Case: Skanska-Shimmick-Herzog v. Santa Clara Valley
Transportation
Authority
(San Mateo Superior Court Case No. 20-CIV-02854)

9.2. Reconvene to Open Session

9.3. Closed Session Report

10. ADJOURN at 9:15 p.m.
