



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: David Sykes
Jennifer A. Maguire

SUBJECT: EMPLOYEE LOAN TO VALLEY
TRANSPORTATION AUTHORITY

DATE: November 21, 2011

Approved

Date

12/1/11

RECOMMENDATION

- a) Approve the first amendment to Cooperative Agreement with the City of San José and Santa Clara Valley Transportation Authority (VTA) for the Silicon Valley Rapid Transit Project (BART) contractor procurement to extend the term from October 31, 2011, by two months to December 31, 2011.
- b) Adopt the following Appropriation Ordinance and Funding Sources Resolution amendments in the Public Works Program Support Fund:
 1. Increase the Valley Transportation Authority Collaboration appropriation in the amount of \$44,000.
 2. Increase the estimate for Earned Revenue by \$44,000.

OUTCOME

Approval of this amendment will allow the City to continue to loan a Senior Engineer to the VTA for the BART project.

BACKGROUND

In January 2011, the City entered into an agreement with the VTA to provide a Senior Engineer to assist the VTA with the procurement of the contractor for the BART project effective November 1, 2010.

ANALYSIS

The agreement expired in October 2011, and needs to be extended through December 2011, so the contractor procurement can be completed.

The agreement requires the VTA to pay the City all costs for the Senior Engineer on a monthly basis. This amendment will increase the total amount of the reimbursement to the City by another \$44,000.

EVALUATION AND FOLLOW-UP

No additional follow-up with the Council is expected at this time.

PUBLIC OUTREACH/INTEREST

- Criterion 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criterion 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criterion 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

This item does not meet any of the criteria listed above; however, this memorandum will be posted on the City's website for the December 13, 2011 Council agenda.

COORDINATION

This memorandum has been coordinated with the City Attorney's Office.

FISCAL/POLICY ALIGNMENT

The City has adopted a position of support for the BART Project.

COST SUMMARY/IMPLICATIONS

There is no cost associated with this action. All costs for the Senior Engineer are borne by the VTA.

HONORABLE MAYOR AND CITY COUNCIL

11-21-11

Subject: First Amendment to the Cooperative Agreement with VTA

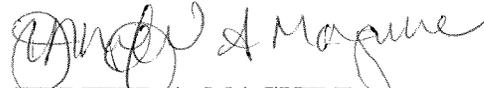
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CEQA

CEQA: Not a project, File No. PP10-066 (d) Consultant Services for Design, Study, Research, Inspection.

/s/

DAVID SYKES
Director of Public Works


JENNIFER A. MAGUIRE
Budget Director

I hereby certify that there will be available for appropriation in the Public Works Program Support Fund in the Fiscal Year 2011-2012 moneys in excess of those heretofore appropriated therefrom, said excess being at least \$44,000.


JENNIFER A. MAGUIRE
Budget Director

For questions please contact HARRY FREITAS, DEPUTY DIRECTOR, 408-535-8300.