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Programming and Allocations Committee February 11, 2009 Minutes

Chair Tissier called the meeting to order at approximately 10:06 a.m. Committee members present were: Commissioners Glover, Bates, Cortese, Daly, Kinsey, and Mackenzie. Other Commissioners present were: Dodd, Haggerty, Chu, Giacomini, Halsted, Lempert, Rubin, Sartipi, Spering, Worth, and Yeager.

Consent Calendar

The Committee approved the following consent items:

- Minutes of January 14, 2008 meeting as submitted.
- 2009 Transportation Improvement Program (TIP) Amendment 2009-04. MTC Resolution No. 3875, Revised.
- 2009 Transportation Improvement Program (TIP) Amendment 2009-05. MTC Resolution No. 3875, Revised.
- Revisions to the Cycle I Lifeline Program of Projects to include the Marin City Transit Hub and Donohue Street ADA Improvements project using unprogrammed Lifeline balance. MTC Resolution No. 3788, Revised.
- Revision to Delegated Authority Policy to allow changes to RM2 project-specific conditions and minor scope revisions. MTC Resolution No. 3620, Revised.
- Revisions to the New Freedom Second Cycle Small Urbanized Area Program of Projects. MTC Resolution No. 3871, Revised.

Regional Programming

- *Federal Economic Recovery: Regional Programming Proposal and Proposed TIP Amendment 2009-07. MTC Resolution No. 3875, 3885, and 3888.*

Steve Heminger, MTC Executive Director, and Alix Bockelman, Programming and Allocations Director, provided background on the proposed American Recovery and Reinvestment Act of 2009 and provided MTC staff's spending proposal for the roughly \$460 - \$700 million in federal formula funds expected to flow to the Bay Area. Staff also reviewed the timeline for the proposed programming action, noting that the Commission action is proposed for February 25, 2009.

There were many public comments opposing the proposal because of a concern that some transit funds were being proposed for expansion projects instead of existing services. Speakers noted that this could lead to greater operating cuts and would create layoffs for bus operators, lack of service for students traveling to school, and people in the community getting to work, appointments, etc. Several speakers were not in favor of the BART Oakland Airport Connector (OAC) because it could reduce funds for AC Transit service. Speakers included private citizens (Tess Friedenbury, Reverend

Franklin Sterling, Michael Diehl, Razzo Engen, Gerald Canthen, and Marshall Loring) and representatives of various organizations including Claudine Tong, Scott Denman, and Wendy Jackson of Genesis; Andy Katz of Breathe California, Robert Rayburn of East Bay Bicycle Coalition; Bob Allen and Lindsay Imai of Urban Habitat; Carli Paine of TransForm; and Mary King of AC Transit.

Several public agency representatives spoke in favor of the proposal and its balance between rehabilitation and expansion projects, including Maria Lombardo of San Francisco Transportation Authority; Christine Mosen of Alameda County Transportation Improvement Authority; and Kathy Mayo of BART.

Rich Napier and John Ristow, San Mateo and Santa Clara Congestion Management Agencies respectively, requested that MTC follow the “fix it first” policy, directing as much of the funding as possible to these programs. John Ristow noted that VTA should be included in any discussions on expansion programs.

David Alvinbaugh of San Francisco Planning Department, Carey Knecht of Greenbelt Alliance, and Kathleen Livermore of City of San Leandro each noted support for staff’s priority development area proposal, but asked that investment in these areas be expedited if possible. Further, Robert Rayburn of the Bicycle Coalition asked that MTC advocate to retain funding for the Transportation Enhancements program.

Adrienne Tissier, MTC Commissioner, asked that Steve Heminger address some of the highlights that were made during the public comments including the merits of using federal recovery funds on rehabilitation versus expansion.

Steve responded by stating that the recovery funds are new money and Congress has not expressed any preference for using the money for expansion versus repair; however, he noted that they have placed an emphasis on ready-to-go projects given the delivery requirements, and those will primarily be system rehabilitation. Public comments suggesting that the recovery money is intended for rehabilitation are incorrect, because the money is quite flexible, which is appropriate, so that decision makers like the Commission can strike the right balance. Steve went on to explain that there have been explicit congressional debates about whether the transit money should go to operations and the result of that debate was that transit operations are ineligible. Of the rehabilitation requests received from operators, only 14% were for preventive maintenance because it is not a sustainable strategy to expect to have a federal recovery fund every year.

In response to comments made about the readiness of expansion projects, Steve stated that if they are not ready MTC can redirect the funds. The proposal before the Committee today provides several conditions for the expansion projects and states that if any of those conditions are not met by June 2009 then the funds would be redirected to the rehabilitation category for transit and that category has a formula that apportions the funds by operator. Therefore, rehabilitation will be the beneficiary of any kind of project failures we have for the expansion projects.

Sue Lempert, MTC Commissioner, expressed a concern in terms of Caltrans getting clearances in time for project deadlines. Commissioner Lempert is supportive of the Transbay Terminal Train Box but was not clear where the money for Caltrain electrification is coming from.

Ken Yeager and Dave Cortese, MTC Commissioners, wanted more time to gather further details on some of the projects before they vote in favor of the proposal and suggested getting Caltrain and High Speed Rail involved in discussions. Commissioner Yeager is a supporter of electrification but is not sure at this point it should be a priority project. Commissioner Cortese suggested that Commissioners meet with staff in special meetings, prior to the February 25 full Commission meeting, to be briefed in detail on proposed projects.

Steve Heminger, Executive Director of MTC, apologized that staff could not provide Commissioners with briefings or a copy of the proposal prior to today's meetings but staff had to act quickly to be prepared to meet deadlines once federal bill is signed, which will likely happen in the next several days. Steve suggested that Commissioners move the item along to the full Commission for the February 25 meeting and that staff would provide Commissioners more information by that time.

Federal Glover, MTC Commissioner, thanked staff for moving quickly to put together the proposal and supports returning funds to rehabilitation for any project failures.

Tom Bates, MTC Commissioner, thanked staff for moving so rapidly but sympathized with the comments made by other commissioners to get the right answers before making decisions. Commissioner Bates shared concern about the Priority Development Area (PDA) priority and would like to go on record for continuing to push the PDA investments. Commissioner Bates expressed that he is a supporter of BART OAC but is torn because of issues around AC Transit and other agencies and perhaps this project should be postponed to address current transit budget issues.

Steve Kinsey, MTC Commissioner, thanked staff at MTC and throughout the region, both at Caltrans, CMA, and Transportation Authorities for their hustle in putting together the proposal but expressed concern about having such a limited amount of money for rehabilitation when the scale of it is so significant and wants to be sure that additional projects that are identified are worthy projects. He further stated that he did not want to see us end up paying a significant premium for haste and will be looking closely by June to be sure that these projects have clear detail to prove the design is appropriate.

Jake Mackenzie, MTC Commissioner, stated that the long-term future of California depends on the Committee looking at the future and looking at investments such as High Speed Rail and the ability to transfer our citizens from one form of transportation to another.

Chris Daly, MTC Commissioner, provided the historical context for why a box under the Transbay terminal is so important, specifically, the citizen movement to bring Caltrain to downtown San Francisco led to the world class Transbay transit center in downtown San Francisco, which will hopefully accommodate the High Speed Rail, bus, and Caltrain. Commissioner Daly also stated that he would like more information on the Oakland Airport Connector and is interested in taking a look at the formulas that are used to distribute rehabilitation dollars.

Other Commissioners agreed with previous comments made that the region should begin to recognize PDA investments. It was also agreed that the item be moved along to the full Commission with the stipulation that staff brief them further on the various formulas and projects prior to the February 25 meeting.

The Committee agreed to forward MTC Resolution No. 3875, 3885, and 3888 to the Commission for its consideration.

- *FY 2009-10 MTC Fund Estimate. MTC Resolution No. 3886.*

The Committee approved staff's recommendation to refer MTC Resolution No. 3886 to the Commission for approval.

- *Regional Measure 2 (RM2) Operating Program Update.*

This item was deferred to the March 4, 2009 Programming and Allocations Committee meeting.

- *Regional Measure 2 (RM2) and Regional Measure 1 (RM1) Capital Funds: Proposed allocation of approx. \$190 million. MTC Resolution Nos. 3667, Revised, 3711, Revised, and 3833, Revised.*

The Committee approved staff's recommendation to refer MTC Resolution Nos. 3667, Revised, 3711, Revised, and 3833, Revised to the Commission for approval.

California Transportation Commission Update

The Committee received, in writing, updates on the California Transportation Commission including the deferral of all actions on allocations due to the uncertainty of the economy and the freezing of Pooled Money Investment Account disbursements, draft guidelines in support of High Speed Rail, potential actions to adopt economic stimulus program, and the resignation of CTC Executive Director, John Barna.

Public Comment

Commissioner Tissier adjourned the meeting at approximately 12:35 p.m.