



*Scott Haggerty, Chair*  
Alameda County

*Adrienne J. Tissier, Vice Chair*  
San Mateo County

*Tom Azumbrado*  
U.S. Department of Housing  
and Urban Development

*Tom Bates*  
Cities of Alameda County

*Dean J. Chu*  
Cities of Santa Clara County

*Dave Cortese*  
Association of Bay Area Governments

*Chris Daly*  
City and County of San Francisco

*Bill Dodd*  
Napa County and Cities

*Dorene M. Giacomini*  
U.S. Department of Transportation

*Federal D. Glover*  
Contra Costa County

*Anne W. Halsted*  
San Francisco Bay Conservation  
and Development Commission

*Steve Kinsey*  
Marin County and Cities

*Sue Lempert*  
Cities of San Mateo County

*Jake Mackenzie*  
Sonoma County and Cities

*Jon Rubin*  
San Francisco Mayor's Appointee

*Bijan Sartipi*  
State Business, Transportation  
and Housing Agency

*James P. Spering*  
Solano County and Cities

*Amy Worth*  
Cities of Contra Costa County

*Ken Yeager*  
Santa Clara County

*Steve Heminger*  
Executive Director

*Ann Flemer*  
Deputy Executive Director, Operations

*Andrew B. Fremier*  
Deputy Executive Director,  
Bay Area Toll Authority

*Therese W. McMillan*  
Deputy Executive Director, Policy

Legislation Committee  
March 13, 2009

**Minutes**

Vice Chair Yeager called the meeting to order at 9:20 a.m. Committee members in attendance: Azumbrado, Chu, Giacomini, Haggerty, Halsted, Lempert, Spering, Tissier, Worth. Also in attendance: Commissioner Bates.

**Minutes** of the Feb. 13, 2009 meeting were unanimously approved following a motion by Commissioner Chu and a second by Commissioner Lempert.

**State Budget Summary**

A summary of the state budget for FY 2008-09 and a spending plan for FY 2009-10 was received by the committee.

**Legislative History**

Rebecca Long of MTC staff highlighted bills of particular interest to the committee in the March 11, 2009 edition of the Legislative History. Of note, MTC is sponsoring two bills: AB 744 (Torrico), a spot bill which will be revised and amended in early April; and AB 1175 (Torlakson), which seeks to authorize the Bay Area Toll Authority (BATA) to raise bridge tolls to seismically retrofit the Antioch and Dumbarton bridges. AB 744 seeks to authorize BATA to create a high occupancy toll (HOT) lane network on state highways within the geographic jurisdiction of the Commission.

On the topic of AB 744, Commissioner Spering said it is important to build a broad advocacy to make sure everyone feels involved. Randy Rentschler of MTC staff noted that to succeed, we need a path where there is most agreement. Executive Director Steve Heminger said staff is working to reach a consensus with congestion management agencies. He said there is a commitment to reach consensus before putting language in the bill and moving it forward, but we need to recognize that we may still have differences. Commissioners Worth and Halsted noted the importance of making sure all counties participate.

**State Legislation**

*AB 628 (Block)* seeks to authorize toll authorities to charge and collect tolls using digital images of license plates, giving California drivers another toll-paying option. Following discussion, Commissioner Lempert moved a position of "support" on AB 628, Commissioner Worth seconded, and the motion was unanimously referred to Commission.

*AB 1135 (Skinner)* seeks to require California vehicle owners to report the current odometer reading of their vehicle at the time of vehicle registration. The bill specifies that the name of the vehicle owner will not be public, while the vehicle and the mileage information would be public information. Commissioner Azumbrado asked why Smog Check information was not used to collect vehicle miles traveled (VMT) data. Ms. Long

said new cars do not need to be checked until after six years, and the goal of the bill is not to move to fees but to collect detailed information. Commissioners Worth and Spering noted strong concerns over privacy protection. Commissioner Azumbrado commented that the bill does more things than what it proposes. Commissioner Bates highlighted that the information is necessary in order to plan properly. He noted the bill is a small, but important, start because current VMT data is only a guess. Commissioner Spering said the bill is only deflecting raising the gas tax. Mr. Heminger noted that the choice is do we want good VMT data.

Vice Chair Yeager recognized Rich Hedges of the Elderly and Disabled Advisory Committee, who commented that there is no privacy. He noted that private enterprise is already collecting the data, and asked the committee to support AB 1135.

Vice Chair Yeager recognized Carli Paine of TransForm, who urged the committee to support the legislation. She said it is critical if we are really going to do anything about climate change. She said there is no confidence in current data, and having reliable data is critical. She reminded the committee that a VMT fee is something they have considered but cannot do without reliable data.

Commissioner Lempert noted that the real purpose of the bill was getting lost in the privacy discussion, and moved to “support the bill with a proviso to ensure that the vehicle owner’s privacy will be protected.” Commissioner Chu seconded the motion. Commissioners Spering and Worth voted against the motion. Commissioners Chu, Halsted, Lempert, and Yeager voted in favor, and the motion was referred to Commission.

### **Federal Legislation**

#### *American Recovery and Reinvestment Act*

Mr. Rentschler presented advocacy priorities for ARRA non-formula programs as an informational item to the committee. Commissioner Chu asked if New Starts application acceptance was suspended pending a review of the rules. Mr. Rentschler said staff will find out all the details. Commissioner Bates noted his support of the priorities and said they are worthwhile goals. He also asked for staff’s support of the Bay Area Air Quality Management District (BAAQMD) to secure more funding for diesel emission reduction. Deputy Director Therese McMillan said staff has held meetings with BAAQMD staff, but BAAQMD has to be the immediate project sponsor. The plan is for them to put together a program, with MTC staff advising.

Vice Chair Yeager recognized Maria Ayerdi, Executive Director of the Transbay Joint Powers Authority. She asked the committee to: 1) consider including the Transbay Transit Center project for ARRA funding, which currently meets all requirements under the ARRA; and 2) consider funding all rail levels. She noted that contrary to current misconceptions, the Center does accommodate Caltrain and future high speed rail.

#### *FY 2009 Appropriations and FY 2010 Budget*

Mr. Rentschler’s report was received by the committee.

#### *Tom Bulger’s Report*

The report from MTC’s advocate in Washington, D.C. was received by the committee.

### **Other Business/Public Comment/Adjourn**

There was no other business or public comment. The next meeting was scheduled for April 10, 2009. The meeting was adjourned at 10:15 a.m.