



METROPOLITAN  
TRANSPORTATION  
COMMISSION

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*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 Rein Worth*  
Cities of Contra Costa County

*Ken Yeager*  
Santa Clara County

*Steve Heminger*  
Executive Director

*Ann Flemer*  
Deputy Executive Director, Policy

*Andrew B. Fremier*  
Deputy Executive Director, Operations

## COMMISSION MEETING

Wednesday, July 22, 2009

Joseph P. Bort MetroCenter Lawrence D. Dahms Auditorium  
101 Eighth Street  
Oakland, CA 94607

## MINUTES

### ATTENDANCE

Chair Haggerty called the meeting to order at 10:17 a.m. In addition to Chair Haggerty, the following Commissioners were present: Bates, Chu, Cortese, Daly, Dodd, Giacomini, Glover, Kinsey, Lempert, Rubin, Sartipi, Worth, Tissier and Yeager.

### CHAIR'S REPORT

Chair Haggerty moved to approve Resolution No. 3923 – Recognizing and congratulating Caltrans Director, Will Kempton, on his departure from the California Department of Transportation. The Commission unanimously approved the resolution.

Commissioner Comments: Various Commissioners reflected on their working relationships with Will Kempton and expressed their appreciation and well wishes.

The Commission received public comment from the following:

- Jerry Grace congratulated Will Kempton and wished him well.

Chair Haggerty asked for a moment of silence in remembrance and honor of former MTC Commissioner Joseph Houghteling who passed away on June 23, 2009. Commissioner Houghteling served on the Commission from 1972 to 1982.

### EXECUTIVE DIRECTOR'S REPORT

Steve Heminger presented the Executive Director's report to the Commission. Copies of the report are available from the Executive Office or [www.mtc.ca.gov](http://www.mtc.ca.gov).

## **CONSENT CALENDAR**

The Commission unanimously approved the following items on the Consent Calendar:

- Minutes of the Commission meeting of June 24, 2009.

### **Programming and Allocations Committee**

- Resolution No. 3845, Revised – Revision to FY 2008-09 Fund Estimate.
- Resolution No. 3920 – Programming of FY 2009-10 5% State Unrestricted Funds and 2% Bridge Toll Revenues.
- Resolution No. 3875, Revised – 2009 Transportation Improvement Program (TIP) Amendment 2009-22. This inclusion of \$70 million in ARRA funds for the BART Oakland Airport Connector project is conditioned upon approval of item 6c.
- Resolution No. 3858, Revised – FY 2008-09 State Transit Assistance (STA) Regional Discretionary Program.
- Resolution Nos. 3653, Revised; 3730, Revised; and 3739, Revised – Proposed allocation of approximately \$93 million in RM2 Capital funds.
- Resolution Nos. 3667, Revised and 3833, Revised – Proposed Rescission of approximately \$29 million in RM2 funds and \$20 million in RM1 funds from the BART extension to Warm Springs Subway Box Element.
- Resolution Nos. 3708, Revised, 3722, Revised – RM2 Programming Revision and Scope Changes for the Real-Time Transit Information Program.
- Resolution Nos. 3886, Revised; 3900, Revised; 3901 and 3902 Revised – FY 2009-10 Fund Estimate revision and allocation of \$35 million in Transportation Development Act (TDA) funds, \$2 million in State Transit Assistance (STA) funds and \$28 million in AB 1107 funds for FY 2009-10 to various claimants in the region.
- Resolution Nos. 3896, Revised – Federal American Recovery and Reinvestment Act (ARRA)

### **Draft MTC Standing Committee Minutes**

Draft Committee minutes of the following standing committees were provided for information only; as background information for items that were being taken up by the full Commission.

- Draft Minutes of the Administration Committee Meeting – July 8, 2009.
- Draft Minutes of the Programming & Allocations Committee Meeting – May 8, 2009.
- Draft Minutes of the Planning Committee Meeting – July 10, 2009.
- Draft Minutes of the Legislation Committee Meeting – July 10, 2009.
- Draft Minutes of the Operations Committee Meeting – July 10, 2009.
- Draft Minutes of the MTC Advisory Committee Meeting – July 8, 2009.
- Draft Minutes of the Elderly and Disabled Advisory Committee Meeting – July 2, 2009.

## **COMMITTEE REPORTS**

### **Programming and Allocations Committee – Kinsey**

The Commission unanimously approved the following:

- Resolution Nos. 3916, and 3917 – FY 2009-10 through FY 2011-12 Federal Transit Administration (FTA) Sections 5307 and 5309 Fixed Guideway Programs, and matching AB 664 Bridge Toll Program.

The Commission unanimously approved the following:

- Resolution No. 3875, Revised – Transportation Improvement Program (TIP) Amendment 09-23.
- Resolution Nos. 3885, Revised; 3884, Revised; 3834, Revised; and 3801, Revised – Oakland Airport Connector Funding Actions.

The Commission received public comment from the following:

- Barry Loubaviski, Building Trades - spoke in support of the above resolutions.
- Dennis Fay, Alameda County CMA - spoke in support of the above resolutions.
- Larry Reid, Councilmember, City of Oakland - spoke in support of the above resolutions.
- General Sheppard, Carpenter Local 713 - spoke in support of the above resolutions.
- Rebecca Kaplan, Councilmember, City of Oakland - requested the Commission delay their vote until after Oakland City Council meets in September.
- Linda Best, Contra Costa Council - spoke in support of the above resolutions.
- Tom Blalock, BART - spoke in support of the above resolutions.
- Clint Walker, Carpenter Local 713 - spoke in support of the above resolutions.
- Paul Cohen, Northern California Carpenters - spoke in support of the above resolutions.
- Doyle Williams, Carpenter Local 681 - spoke in support of the above resolutions.

- Carol Ward Allen, BART - spoke in support of the above resolutions.
- Claudia Hudson, ATU - spoke in opposition of the above resolutions.
- Karen Smulevitz, United Seniors - spoke in opposition of the above resolutions
- Dorothy Duggar, BART - spoke in support of the above resolutions.
- Carli Payne, TransForm - requested the Commission delay their vote until further information can and will be reviewed.
- Joel Ramos, TransForm - requested the Commission delay their vote until further information can and will be reviewed.
- Janet Arnold. Green Party of Alameda County - spoke in opposition of the above resolutions.
- Maxine Benson, Webster Tract Neighborhood Association - spoke in opposition of the above resolutions.
- Michael Diehl, B.O.S.S. - spoke in opposition of the above resolutions.
- Mari Rose Taruc, Asian Pacific Environmental Network - spoke in opposition of the above resolutions.
- Bob Allen, Urban Habitat - spoke in opposition of the above resolutions.
- Silvester Grisby, Oakland resident - spoke in support of the above resolutions.
- Michael Quigley, California Alliance For Jobs – spoke in support of the above resolutions.
- Nora Cody - spoke in opposition of the above resolutions.
- Arthur Dowe, Alameda County Transportation Improvement Authority - spoke in support of the above resolutions.
- Scott Petersen, Oakland Metropolitan Chamber of Commerce - spoke in support of the above resolutions.
- William Knack (speaking on behalf of Rich Edges), San Mateo BTC - spoke in support of the above resolutions.
- Jonathan Bair, City of Oakland Bicycle and Pedestrian Coalition - requested the Commission delay their vote until further information can and will be reviewed.
- Billy Trice Jr., Just Cause Oakland - spoke in opposition of the above resolutions.
- Rebecca Saltzman, East Bay Young Democrats - requested the Commission delay their vote until further information can and will be reviewed.
- John Knox White, TransForm - requested the Commission delay their vote until further information can and will be reviewed.
- Michael Krueger, Alameda Transit Advocates - requested the Commission delay their vote until further information can and will be reviewed.
- Gabrielle Miller, Genesis - spoke in opposition of the above resolutions.
- Karla Perez (speaking on behalf of Carlos Cordero), Local Union 1877 - spoke in opposition of the above resolutions.
- Jerry Grace, San Leandro resident - spoke in support of the above resolutions.
- Susan Decker - requested the Commission delay their vote until further information can and will be reviewed.
- Sylvia Chapman - spoke in opposition of the above resolutions.
- Matt Davis, Port of Oakland - spoke in support of the above resolutions.
- Naomi Schiff, Seventeenth Street Studios, Inc. - requested the Commission delay their vote until further information can and will be reviewed.

- Aaron Lehmer, Bay Localize - requested the Commission delay their vote until further information can and will be reviewed.
- Benny Love, B.O.S.S. - requested the Commission delay their vote until further information can and will be reviewed.
- Steve Love - spoke in opposition of the above resolutions.
- Darrel Carey, East Bay Small Business Council - spoke in support of the above resolutions.
- Eric Chase - spoke in opposition of the above resolutions.
- Chris Miley, Oakland City Councilmember Rebecca Kaplan's office - requested the Commission delay their vote until further information can and will be reviewed.
- Andre Jones, Oakland City Councilmember Rebecca Kaplan's office - requested the Commission delay their vote until further information can and will be reviewed.

After receipt of public comment, the Commission approved Resolution Nos. 3885, Revised; 3884, Revised; 3834, Revised; and 3801. with Commissioners Bates, Daly and Lempert, dissenting.

### **Legislation Committee – Rubin**

The Commission unanimously approved the following positions for pending legislation:

- Remove Opposition of SB535 (Yee) – HOV Lanes – Low Emissions/Hybrid vehicles.
- Resolution No. 3926 – American Recovery and Reinvestment Act – Tiger Discretionary Grants.

The Commission received public comment from the following individuals, supporting the above resolution:

- Matt Davis, Port of Oakland.
- Paul Oversier, BART.
- Carolyn Gonot, Santa Clara Valley Transportation Authority.

### **PUBLIC COMMENT**

The Commission received public comment from the following:

- Jerry Grace – expressed his delight after attending the Alameda County Fair.

### **ADJOURNMENT/NEXT MEETING**

Commission Chair Haggerty adjourned the Commission meeting in memory of former Commissioner Joseph Houghteling.

There being no further business or public comment, Chair Haggerty requested that beginning in September 2009, the Commission meetings commence at 9:30 a.m. The Committee adjourned at 1 p.m. The next Commission meeting is scheduled for Wednesday, September 23, 2009, in Oakland, California.

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Scott Haggerty, Chair