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MINORITY CITIZENS ADVISORY COMMITTEE
Minutes – November 10, 2009

Attendance

The meeting was called to order at 3:20 p.m. Those in attendance were Chair James McGhee, Dustin Daza and Harvey Louie of San Francisco; Vice Chair Carlos Castellanos and Jacquee Castain of Alameda County; Michael Rubiano of Contra Costa County; Charles Rivasplata of Marin County; Gerald Rico and Robert Liems of Napa County; Bill Allen and Carlos Romero of San Mateo County; Michael Lopez of Santa Clara County; Jim Simon of Solano County; Lee Pierce and David Rosas of Sonoma County; Michael D'Augelli, Native American representative; and Randi Kinman, Low Income Representative. Dawn Love and Darnell Turner were excused.

MTC staff in attendance included Craig Goldblatt, Pam Grove, Georgia Lambert, Rebecca Long, Denise Rodrigues and Therese Trivedi. Also in attendance was Cathy Jackson, MTC Advisory Council chair.

Meeting Minutes

The October 13, 2009 meeting minutes were approved with two abstentions.

Chair's Report

Chair McGhee reported that he attended several MCAC subcommittee meetings, the Joint Advisors meeting on Oct. 28, as well as the November Advisory Council meeting earlier today.

MCAC Member Reports

Report from Representatives to the Advisory Council: Chair McGhee reported that Jay Primus of the San Francisco Municipal Transportation Agency gave a presentation to the Advisory Council on San Francisco's planned parking and congestion program, including restructuring of parking meters and statistics on parking issues. Other presentations at the Advisory Council meeting are also included on today's MCAC agenda. There was discussion regarding the proposed new advisory committee structure. Chair McGhee introduced Cathy Jackson, Advisory Council chair, who reported that the Advisory Council suggested an increase in the number of members to at least 36. She said they agreed with Mr. Heminger's letter to the Legislation Committee, but wanted to see all current Advisory Council categories included. Randi Kinman pointed out that copies of Mr. Heminger's letter were not included in the MCAC packet (although they were sent via e-mail that morning). Copies were made

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MCAC Member Reports (continued)

and distributed, and it was agreed that MCAC members would discuss the item at the end of the meeting, since the item was included as part of the Staff Liaison report.

High School Internship Subcommittee: The group met just prior to the MCAC meeting. Subcommittee Vice-Chair Michael D'Augelli reported that the college intern is in the process of being hired. Staff requested that MCAC help with follow-up and outreach support for recruiting agency employers. The subcommittee suggested that staff study the effect of GPA on the success of students in the program, and wondered what impact the restructuring of the advisory committees would have on the work of this subcommittee. The recruitment process is being studied for future involvement of MCAC members, and the application process is being automated for processing online. Jacquee Castain commented that at last month's meeting, MTC's Human Resources Manager Robin James did a wonderful job of responding to the subcommittee's questions.

Equity Analysis Subcommittee: Subcommittee Chair Randi Kinman reported that the subcommittee's original plan was to make a presentation to MCAC at the end of the year and then take a snapshot analysis proposal to MTC's Planning Committee. An opportunity arose to bring forward some preliminary work at the Planning Committee meeting on Nov. 13 (this Friday). While the subcommittee will not be making any recommendations, presenting preliminary information now gives MCAC an opportunity to ask for specific input from the Planning Committee and remind them that the snapshot analysis is part of an ongoing process. The presentation to be made before the Planning Committee is available online as part of that packet. Ms. Castain mentioned an article announcing that the California State Automobile Association is moving its headquarters to the transit village in Pleasant Hill, and she views this as a step in the right direction for seeing large businesses (that will create quality jobs) moving near transit villages.

New Federal Act – Draft Final Proposal for Cycle 1 STP/CMAQ Funding

Craig Goldblatt, MTC programming staff, outlined changes to the proposal for CMAQ/STP funds, which was presented to the Programming and Allocations Committee on Nov. 4. Carlos Romero asked about the $14 million in new funds and Mr. Goldblatt confirmed that the $14 million was a result of an end-of-the-year redistribution. The funds are to be allocated to the Climate Initiatives program, bringing that total to $80 million for Cycle 1. Referencing the graph on Page 3, Mr. Romero asked about the effectiveness of dollars spent in reducing CO2 and greenhouse gases. Mr. Goldblatt explained that there is overlap between some of the core programs and the Climate Initiatives program in reducing carbon dioxide gases; greenhouse gases are also being reduced through other programs, which needs to be taken into consideration. The four proposed components of the Climate Initiatives program include outreach, Safe Routes to School, an innovative grants program, and an evaluation process. Mr. Romero asked why no funds are being allocated to Transit Capital Rehabilitation during Cycle 1. Mr. Goldblatt said the needs for that program have been identified for Cycle 2, and the Transit Capital Rehabilitation funds are for replacement and rehabilitation of current vehicles – not putting new vehicles into service. Mr. Romero noted that transit providers have operating shortfalls and asked if there is a way to use these TCR funds to solve their budget problems. Mr. Goldblatt said preventive maintenance expenses are allowed with ARRA and STA funds, but CMAQ/STP funds are not allowed for transit operations. Dustin Daza asked why $31 million is being moved from FPI.

New Federal Act – Draft Final Proposal for Cycle 1 STP/CMAQ Funding (continued)

Mr. Goldblatt responded that some of the partners requested funds now for various projects; the compromise is to delay some of the FPI projects and refund those projects in Cycle 2. Ms. Kinman reiterated that bus routes are being cut and low-income and minority communities are the most affected by these cuts. Without a focus on preventive maintenance, the transit system seems to be on a razor-thin margin of being able to operate, and it only takes one incident – like the recent Bay Bridge problem – to collapse the whole transportation system.

Draft 2010 Legislative Program

Rebecca Long, MTC Senior Legislative Analyst, presented the Draft 2010 Legislative Program highlighting MTC's state and federal legislative priorities for 2010. Mr. Daza asked if the DMV was supportive of replacing temporary "paper" plates with permanent California license plates. Ms. Long said the DMV is supportive and will help to make it work for auto dealerships. Mr. Daza asked if, regarding SB 375, it would make more sense to wait until Jerry Brown is governor. Ms. Long said that was an interesting strategy. Michael Rubiano asked if FasTrak® passes could be added to the initiative requiring permanent license plates immediately. Ms. Long said a significant number of people have privacy concerns so she doesn't see, at this stage, MTC sponsoring a requirement that new cars have FasTrak®. Chair McGhee mentioned that many people don't have credit cards; Ms. Long responded that there is a cash-based FasTrak® option available, including a way to remain anonymous.

Carlos Castellanos asked how MTC plans to reframe the two-thirds majority reduction during this time of recession. Ms. Long responded that the legislation would not actually put a new tax on the ballot, but would change the way new taxes get approved and put more power back in the hands of the majority. Mr. Lopez asked if the statewide fee on gasoline would also apply to electric cars. People with less money can't afford the more expensive, fuel-efficient cars, and he suggested the fees should be based on vehicle miles traveled rather than gallons used. Ms. Long said there is support for a vehicle-miles-traveled process but legislation may have to happen at the national level rather than locally. Ms. Kinman expressed concern about raising the cost of gas, which raises costs for transit operators, so the burden once again falls upon transit-dependent, disadvantaged people who have no other options. Mr. Allen agreed that a gas tax puts a higher burden on people who can least afford it and said there is a new emphasis on making things greener. Mr. Rubiano stated he believes most of this legislation won't pass, due to political realities. Mr. Romero said MCAC gets a legislative report every year and talks about policy issues that clearly will not affect what is going before the Planning Committee. He felt MCAC should spend its time where it will have more impact.

FY 2009-2010 Annual Anticipated Disadvantaged Business Enterprise (DBE) Participation Level Report

Denise Rodrigues, MTC staff, presented MTC's annual anticipated DBE participation level for fiscal year 2009-2010. Mr. Allen stated that, based on data from the disparity study, African-Americans are most underutilized. He would like quarterly reports on DBE participation. Ms. Rodrigues replied that goals should be measurable by invoices submitted. Mr. Allen stressed that goals haven't been met in the past, and the future advisory group needs to track this data.

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Transportation for Livable Communities (TLC) Scoring Criteria

Therese Trivedi, MTC staff, presented draft TLC scoring criteria for MCAC review and comment. Ms. Kinman stated that the design guidelines need more "teeth." She also inquired about what would happen if projects were approved with matching funds that were appropriated elsewhere (like the State raids of funds). Ms. Trivedi said one such project was approved anyway, and each project must be reviewed individually. Mr. Daza asked how point allocation is done. The evaluation committee awards the points; once funds are awarded, the project moves to Caltrans. Mr. Castellanos asked how the design guidelines are measured and monitored, and asked for clarification on requirements for affordable housing. Ms. Trivedi said with certain allocations there is an affordable element, so anything in excess of that would garner more points. And they would likely look at a city's inclusionary housing policy to see if it is being met or exceeded. Any other ideas the committee might have are welcome. Other issues Mr. Castellanos brought up include greenhouse gas reduction, use of recycled products/fixtures and use of locally fabricated products. Mr. Allen expressed concern about how follow-up on these issues can be accomplished with the committee restructuring. Ms. Grove said items could be prioritized for potential inclusion in the new work plan. Mr. Allen also commented that the range of affordable housing varies for the nine counties, and must be considered with family annual income. Ms. Trivedi responded that MTC encourages communities to meet a minimum threshold of affordable housing. Ms. Kinman commented that affordable housing (not market rate housing) should be within ¼ mile of transit. Mr. Romero said that if properly structured, the rules can make a huge impact. He suggested that under "project impact," the second bullet include "for *all* income levels"; the language regarding displacement should be strengthened; and he feels car sharing does not work as well in the communities of concern and the points should be lowered. He also suggested the number of points for matching funds be increased. Mr. Romero and Mr. Castellanos will craft some recommendations for further consideration.

Staff Report

Ms. Grove made announcements regarding various transportation issues, including the addition of a fourth public hearing on Dec. 7 in San Francisco on the proposed bridge toll increase. E-mail comments can be sent to tolls@mtc.ca.gov, and an online survey will also be available.

Ms. Grove also announced that the proposal for the new policy advisory committee will be presented to the Legislation Committee this Friday, Nov. 13. Chair McGhee restated the Advisory Council's suggestions to increase the committee membership to at least 36, and specify the at-large members to include current categories. He also said the proposal asks the Commission to extend existing advisor terms through March. Ms. Kinman expressed concern about the lack of low-income representation, and stated that "communities of concern" is a better term than "environmental justice." She also stated the counties should have proportional representation, suggesting at-large members be assigned to larger counties. Mr. Castellanos had concerns about the larger size but still supports a 36-member committee. Mr. Rubiano moved that MCAC recommend the Legislation Committee increase the new policy advisory committee membership to 36, with the at-large members allocated based on proportion of population in the counties. All 12 members present voted yes (one member short of a quorum).

Other Business

There was no further business, and the meeting was adjourned at 5:29 p.m.