



Agenda Item 2

METROPOLITAN
TRANSPORTATION
COMMISSION

Joseph P. Bort MetroCenter
101 Eighth Street
Oakland, CA 94607-4700
TEL 510.817.5700
TTY/TDD 510.817.5769
FAX 510.817.5848
E-MAIL info@mtc.ca.gov
WEB www.mtc.ca.gov

Scott Haggerty, Chair
Alameda County

Adrienne J. Tissier, Vice Chair
San Mateo County

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U.S. Department of Housing
and Urban Development

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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
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Steve Heminger
Executive Director

Ann Flemer
Deputy Executive Director, Policy

Andrew B. Fremier
Deputy Executive Director, Operations

Legislation Committee November 13, 2009 Minutes

Chair Rubin called the meeting to order at 10:57 a.m. Committee members in attendance: Giacopini, Haggerty, Lempert, Mackenzie, Rein Worth, Spering, and Yeager. Also in attendance: Commissioners Bates and Cortese.

Minutes of the Committee's October 9, 2009 meeting were unanimously approved after a motion by Commissioner Spering and a second by Commissioner Rein Worth.

New Advisory Committee

Ellen Griffin of MTC staff presented Resolution No. 3931, recommending the new structure of MTC's advisory committees. Ms. Griffin pointed out written comments from the Minority Citizens Advisory Committee (MCAC), the Advisory Council and the San Mateo County Paratransit Coordinating Council (PCC). She noted that if the new structure is approved, staff would begin recruitment in December, present candidate recommendations in March, and seat the new committee in April. She also noted that staff recommends that current advisors continue in their present capacity until the new Advisory Council is formed.

Chair Rubin asked for the difference between staff recommendations and the concerns of the advisors. Randy Rentschler of MTC staff noted three key differences: 1) population distribution, 2) specific interest areas, and 3) committee size.

Chair Rubin recognized members of the public:

Richard Hedges of the Elderly and Disabled Advisory Committee (EDAC) read written comments on behalf of Advisory Council Chair Cathy Jackson. Ms. Jackson noted that the Council is supportive of staff recommendations, except they would like to see the size of the committee increased to 36 because of the diversity of the region's population. He noted that the members of EDAC are very committed to their work and have brought forward many policy recommendations to the Commission.

Marshall Loring of EDAC clarified that the San Mateo PCC was not opposed to staff's recommendations, but rather they are concerned about losing distinct representation from the elderly and disabled communities. Mr. Loring also expressed his support for a 36-member committee.

Craig Yates of EDAC expressed support for a 36-member committee.

Randi Kinman of MCAC noted MCAC's unanimous support for a 36-member committee. She expressed concern over population parity and the committees' work plans during the transition period.

Bob Allen of Urban Habitat expressed concern that the process of restructuring was being rushed. He was also concerned about how the Commission would demonstrate compliance with the FTA's (Federal Transit Administration) environmental justice regulations without the MCAC.

Ellie Bloch of EDAC said the biggest concern for seniors in the region is transportation according to the California Senior Legislature.

Andrea Feit-Duggan was concerned about population parity.

Commissioner Spering suggested that five of the nine at-large seats be given to representatives from the five largest counties, and their respective Commissioner(s) should appoint them. He also asked if consideration had been given to outside appointing bodies. Executive Director Steve Heminger said that outside appointing bodies would be unusual since most agencies appoint their own advisors. Commissioner Spering also said an annual meeting should be scheduled specifically for the purpose of meeting with advisors. Chair Rubin said that the at-large seats should be appointed by the Commission rather than an outside body. Commissioner Mackenzie expressed concern about the large size of the committee. Commissioner Rein Worth said that receiving input from advisors is important. She noted that representatives from any county can represent the entire region. She would also like to see a subcommittee structure within the full Council to focus on specific work items. Commissioner Lempert stated a smaller committee would be more effective, supported subcommittees, and agreed that an annual meeting could strengthen communication with advisors.

Commissioner Giacopini asked how staff would determine what geographic areas get elderly and disabled representatives. She also expressed concern because there is no focus on youth or adults with disabilities. Ms. Griffin said that the resolution was drafted to leave the appointment of representatives at the discretion of the Commission. Mr. Heminger clarified that the appointment process would not be first come, first served.

Commissioner Spering moved to refer Resolution No. 3931 with two revisions: 1) provide that a minimum of five of the nine at-large representatives appointed by the Chair and Vice Chair are from each of the five most populous counties in the region, and 2) the annual meeting with advisors will be a separate, agendaized meeting. Commissioner Rein Worth seconded the motion. The motion passed unanimously to refer Resolution No. 3931 as amended, to the Commission for approval.

Following passage of the motion Commissioner Mackenzie asked that the idea of subcommittees be considered when the Advisory Council is formed. Commissioner Giacopini asked advisors to present what a 36-member committee would look like at the Commission meeting on November 18, if they still wanted to advocate that change to the Resolution.

2009 Legislative Scorecard

Rebecca Long of MTC staff presented for information a progress report on MTC's 2009 Legislative Program.

Draft 2010 Legislative Program

The Committee received the draft 2010 Legislative Program.

Chair Rubin noted that the dates were set for the 2010 legislative trips to Sacramento and Washington, D.C. Commissioner Spering requested that a stronger advocacy strategy be developed for AB 744 (Torrico) — the Express Lane Network bill. Commissioner Rein Worth asked to seek new partners that can be brought in on the various legislative initiatives addressed by the Commission.

SAFETEA Extension

The Committee received Mr. Rentschler's report on the SAFETEA extension. Mr. Rentschler noted that there is talk in Washington, D.C. about a second stimulus program.

S. 1733 (Kerry/Boxer)

Ms. Long's report on the Senate's version of cap-and-trade legislation 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 Committee meeting is scheduled for December 11, 2009. The meeting was adjourned at 12:05 p.m.

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