



METROPOLITAN
TRANSPORTATION
COMMISSION

Agenda Item 2a

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Scott Wiener
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Steve Heminger
Executive Director

Ann Flemer
Deputy Executive Director, Policy

Andrew B. Fremier
Deputy Executive Director, Operations

Legislation Committee

April 12, 2013

Minutes

Chair Haggerty called the meeting to order at 11:38 a.m. Committee members in attendance: Voting Commissioners Halsted, Luce, Mackenzie, and Spering. Commissioners Azumbrado and Giacomini attended as non-voting members. Commissioners Worth and Cortese attended as ex-officio voting members. Also in attendance as an ad hoc non-voting committee member: Commissioners Bates, Campos, Tissier and Wiener.

Consent Calendar

Commissioner Mackenzie moved and Commissioner Halsted seconded the motion to approve the consent calendar. Motion passed unanimously.

Commissioner Haggerty, in agreement with Commission Chair Worth, authorized staff to move forward with positions on consent calendar items prior to April 24 commission meeting. Mr. Rentschler added he will also seek for the same authorization to move forward on other items on the agenda.

Policy Advisory Council – 2013 Recruitment

Ms. Grove presented the 2013 recruitment of the Policy Advisory Council and encouraged Commissioners to join in this recruiting effort by identifying potential candidates in their counties.

SB 391 (DeSaulnier) – Support

Ms. Long presented the staff recommendation to support SB 391. Commissioner Halsted moved and Commissioner Mackenzie seconded the motion to refer a support position of SB 391 to Commission for approval. Motion passed unanimously.

AB 179 (Bocanegra) – Oppose Unless Amended

Ms. Long presented the staff recommendation to oppose AB 179 unless amended to (1) revise the timeframe from 6 months to three years and (2) revise the statute of limitations for claims relating to electronic toll collection systems and transit smart card programs to three years as well. Public comment from Eric P. Scott to apply this policy state-wide. A uniform statewide policy would protect all Californians.

Commissioner Halsted moved and Commissioner Mackenzie seconded the motion to refer an oppose unless amended position of AB 179 to Commission for approval. Motion passed unanimously.

SB 792 (DeSaulnier)

Mr. Heminger presented the staff recommendation to take no position on SB 792, and to engage the author of the bill in a discussion of an alternative approach to improve interagency coordination.

Commissioners Spering and Wiener expressed their concern with taking no position and that MTC should take an oppose position, state the reasons why and explain how we want to move forward in working with Senator DeSaulnier. Commissioner Spering moved and Commissioner Luce seconded a motion to oppose SB 792 and to contact Senator DeSaulnier with the following staff recommendations:

1. The Bay Area Air Quality Management District should join ABAG and MTC in preparing and adopting the second SCS by taking the lead on planning issues related to criteria pollutants and toxic air contaminants.
2. Likewise, the Bay Conservation and Development Commission should join its three regional agency partners in preparing and adopting the second SCS by taking the lead on planning issues related to sea level rise and adaptation to climate change.
3. The four agencies should report annually to the Legislature and the public at large on their progress in preparing the second SCS and, subsequent to its adoption in 2017 and the adoption of successor plans thereafter, on their progress in implementing the plan's policies and projects.

Commissioner Worth commented on the constructive direction of staff recommendations and how they can achieve our goals. She suggested a meeting be set up very soon to meet with the author of the bill.

Commissioner Halsted noted that SB 792 was on the agenda of the JPC Executive Committee meeting scheduled for this afternoon, and added her agreement with the motion and staff recommendations.

Public comment from Jane Kramer, who remarked on the process in working with other agencies, should be as simple as picking up the phone and having a conversation with your counterpart.

The motion was approved unanimously. Commissioner Haggerty suggested a small delegation of the Commission which includes Commission chair, vice-chair, and chair of Legislation Committee meet with DeSaulnier to present alternative approaches. Mr. Rentschler, MTC staff, asked the Legislative Committee Chair Haggerty and Commission Chair Worth for authorization to move forward with a position on the bill prior to Commission meeting and they agreed.

Tom Bulger's Report

The Committee received the monthly report from Mr. Bulger as presented by Ms. Long who highlighted the continuous appropriation of transportation funds which includes the TIGER grant program which is \$474 million nationwide. Staff will be presenting to the committee in the coming months.

Public Comment/Adjourn

There was no public comment. The meeting was adjourned at 12:00 p.m. The next Committee meeting is scheduled for Friday, May 10, 2013 at 9:40 a.m. in the Lawrence D. Dahms Auditorium, Joseph P. Bort MetroCenter, Oakland, California.