



## Agenda Item No. 2a

**METROPOLITAN  
TRANSPORTATION  
COMMISSION**

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### OPERATIONS COMMITTEE MINUTES FRIDAY, April 12, 2013

*Amy Rein Worth, Chair*  
Cities of Contra Costa County

*Dave Cortese, Vice Chair*  
Santa Clara County

*Alicia C. Aguirre*  
Cities of San Mateo County

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

*Tom Bates*  
Cities of Alameda County

*David Campos*  
City and County of San Francisco

*Bill Dodd*  
Napa County and Cities

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

*Federal D. Glover*  
Contra Costa County

*Scott Haggerty*  
Alameda County

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

*Steve Kinsey*  
Marin County and Cities

*Sam Liccardo*  
San Jose Mayor's Appointee

*Mark Luce*  
Association of Bay Area Governments

*Jake Mackenzie*  
Sonoma County and Cities

*Joe Pirzynski*  
Cities of Santa Clara County

*Jean Quan*  
Oakland Mayor's Appointee

*Bijan Sartipi*  
State Business, Transportation  
and Housing Agency

*James P. Spering*  
Solano County and Cities

*Adrienne J. Tissier*  
San Mateo County

*Scott Wiener*  
San Francisco Mayor's Appointee

*Steve Heminger*  
Executive Director

*Ann Flemer*  
Deputy Executive Director, Policy

*Andrew B. Fremier*  
Deputy Executive Director, Operations

#### ATTENDANCE

Chair Mackenzie convened the meeting at 11:27 a.m. Committee members present were: Haggerty, Halsted, Luce, Spering, Azumbrado (non-voting) and Giacopini (non-voting). Commissioner Worth and Commissioner Cortese were present as ex-officio members of the Committee. Also present as an ad hoc non-voting members of the Committee were Commissioner Bates, Campos, Tissier and Weiner.

#### CONSENT CALENDAR

Upon motion of Commissioner Luce and second by Commissioner Cortese, the Committee unanimously approved the consent calendar:

- Minutes of March 8, 2013
- Contract Amendment – Freeway Performance Initiative Corridor Studies: Cambridge Systematics Inc. (\$35,000)

#### Proposed Changes to Clipper® Privacy Policy

Ms. Carol Kuester, MTC Staff, presented the Committee with a request for approval to amend the Clipper® Privacy Policy to shorten the period for which personally identifiable information (PII) is retained from seven years to four years and six months. She noted that this action would strengthen the commitment to actively protect the privacy of Clipper® customers.

Ms. Rebecca Long, MTC staff, stated on January 23, 2013 AB 179 (Bocanegra) was introduced to require electronic toll and fare payment systems, including Clipper® and FasTrak® to:

- Delete account information considered PII no later than six months after the date an account is closed or terminated; and
- Require deletion after six months of PII not needed “to perform account functions such as billing, account settlement, or enforcement activities.”

She added that the six-month time frame that is proposed in AB 179 is unworkable because it would undermine our ability to respond to customer inquiries or disputes that arise outside a six-month timeframe, something that has occurred on a number of occasions.

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Upon motion of Commissioner Halsted and seconded by Commissioner Luce, the Committee unanimously approved the staff recommendation that the Committee refer to the Commission a recommendations to amend MTC Resolution No. 4040 to reduce the Clipper<sup>®</sup> data retention period to four years and six months, similar to the FasTrak<sup>®</sup> program and that the Legislation Committee take an “oppose unless amended” position on AB 179 at its April 12 meeting.

### Public Comment/Other Business/Next Meeting/Adjournment

Mr. Eric P. Scott expressed his concerns regarding the Clipper<sup>®</sup> Privacy Policy stating that he believes that a six-month limitation to the retention policy is workable.

There being no further business, Commissioner Mackenzie adjourned the meeting at 11:38 a.m. The next meeting of the Operations Committee is scheduled for Friday, May 10, 2013, in Oakland, California.

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